

103^D CONGRESS
2^D SESSION

H. R. 3801

To improve the operations of the legislative branch of the Federal Government, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 1994

Mr. HAMILTON introduced the following bill; which was referred jointly to the Committees on Rules, House Administration, and Government Operations

A BILL

To improve the operations of the legislative branch of the Federal Government, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Legislative Reorganization Act of 1994”.

6 (b) TABLE OF CONTENTS.—

- Sec. 1. Short title; table of contents.
- Sec. 2. Rulemaking power of Senate and House.

TITLE I—HOUSE OF REPRESENTATIVES

- Sec. 101. Multiple referral of legislation.
- Sec. 102. Membership on committees.
- Sec. 103. Scheduling.
- Sec. 104. Subcommittee meetings prohibited during full committee meetings.
- Sec. 105. Committee reports.

- Sec. 106. Notice of jurisdictional violations.
- Sec. 107. Independent investigations and factfinding for ethics investigations.
- Sec. 108. Use of independent factfinders by the Committee on Standards of Official Conduct.
- Sec. 109. Term of membership and chairmanship on Permanent Select Committee on Intelligence
- Sec. 110. Reform of oversight process.
- Sec. 111. Staff training.
- Sec. 112. Availability of legislative information.
- Sec. 113. Public understanding of Congress.
- Sec. 114. House-Senate staff salary parity.
- Sec. 115. Expansion of unauthorized appropriations points of order.
- Sec. 116. Motion to recommit.
- Sec. 117. Debate in the House.
- Sec. 118. Committee reports.
- Sec. 119. Publication of committee attendance and voting records.
- Sec. 120. Accuracy of the Congressional Record.
- Sec. 121. Recodification of Rules of the House of Representatives.

TITLE II—SENATE

TITLE III—JOINT HOUSE AND SENATE MATTERS

Subtitle A—Congressional Budget Process

CHAPTER 1—BIENNIAL BUDGETING

- Sec. 301. Revision of timetable.
- Sec. 302. Amendments to the Congressional Budget and Impoundment Control Act of 1974.
- Sec. 303. Amendments to title 31, United States Code.
- Sec. 304. Two-year appropriations; title and style of appropriations Acts.
- Sec. 305. Conforming amendments to Rules of House of Representatives.
- Sec. 306. Multiyear authorizations.

CHAPTER 2—ADDITIONAL BUDGET PROCESS CHANGES

- Sec. 321. CBO reports to budget committees.
- Sec. 322. GNP budget analysis; fiscal and budget policy reports.
- Sec. 323. Government-wide review.
- Sec. 324. Content of budget resolutions.

CHAPTER 3—EFFECTIVE DATE

- Sec. 331. Effective date; application.

Subtitle B—Staffing and Instrumentalities

- Sec. 341. Legislative branch streamlining and restructuring.
- Sec. 342. Authorization and funding of certain congressional instrumentalities.
- Sec. 343. Coordination of legislative branch services.
- Sec. 344. Competitive bidding for legislative branch services and facilities.

Subtitle C—Application of Federal Laws

- Sec. 351. Definitions.

- Sec. 352. Application of laws.
- Sec. 353. Office of compliance.
- Sec. 354. Study and regulations.
- Sec. 355. Other functions.
- Sec. 356. Procedure for consideration of alleged violations.
- Sec. 357. Step I: Counseling.
- Sec. 358. Step II: Mediation.
- Sec. 359. Step III: Formal complaint and hearing.
- Sec. 360. Judicial review.
- Sec. 361. Resolution of complaint.
- Sec. 362. Prohibition of intimidation.
- Sec. 363. Confidentiality.
- Sec. 364. Political affiliation and place of residence.
- Sec. 365. Other review.

Subtitle D—Miscellaneous

- Sec. 371. Sunset agency reporting requirements.
- Sec. 372. Joint committee on information management.

Subtitle E—Budget Control

- Sec. 381. Short title; purpose.
- Sec. 382. Establishment of direct spending targets.
- Sec. 383. Annual review of direct spending and receipts by president.
- Sec. 384. Special direct spending message by President.
- Sec. 385. Required response by Congress.
- Sec. 386. Adjustments to direct spending targets.
- Sec. 387. Relationship to Balanced Budget and Emergency Deficit Control Act of 1985.
- Sec. 388. Estimating margin.
- Sec. 389. Consideration of appropriation bills.
- Sec. 390. Means-tested programs.
- Sec. 391. Effective date.

1 **SEC. 2. RULEMAKING POWER OF SENATE AND HOUSE.**

2 The provisions of this Act (as applicable) are enacted
3 by the Congress—

4 (1) insofar as applicable to the House of Rep-
5 representatives, as an exercise of the rulemaking power
6 of the House of Representatives, subject to and with
7 full recognition of the power of the House of Rep-
8 representatives to enact or change any rule of the
9 House at any time in its exercise of its constitutional
10 right to determine the rules of its proceedings; and

1 (2) insofar as applicable to the Senate, as an
2 exercise of the rulemaking power of the Senate and,
3 to the extent so applicable, those sections are
4 deemed a part of the Standing Rules of the Senate,
5 superseding other individual rules of the Senate only
6 to the extent that those sections are inconsistent
7 with those other individual Senate rules, subject to
8 and with full recognition of the power of the Senate
9 to enact or change any rule of the Senate at any
10 time in its exercise of its constitutional right to de-
11 termine the rules of its proceedings.

12 **TITLE I—HOUSE OF** 13 **REPRESENTATIVES**

14 **SEC. 101. MULTIPLE REFERRAL OF LEGISLATION.**

15 Clause 5(c) of rule X of the Rules of the House of
16 Representatives is amended—

17 (1) by inserting “and subject-matter” after
18 “time”; and

19 (2) by adding at the end the following new sen-
20 tence:

21 “If practicable, whenever the Speaker refers a matter
22 simultaneously to two or more committees, he shall ini-
23 tially designate one committee as the committee of pri-
24 mary jurisdiction and subsequently place appropriate time
25 and subject-matter limitations for completion of consider-

1 ation of the matter by any other committee after the com-
2 mittee of primary jurisdiction reports the matter.”.

3 **SEC. 102. MEMBERSHIP ON COMMITTEES.**

4 (a) MAXIMUM NUMBER OF COMMITTEE AND SUB-
5 COMMITTEE ASSIGNMENTS.—Clause 6(a) of rule X of the
6 Rules of the House of Representatives is amended by add-
7 ing at the end the following new subparagraph:

8 “(3)(A) Except as provided by subdivision (E), no
9 Member (including the Resident Commissioner from Puer-
10 to Rico and each Delegate to the House) may serve on
11 more than 2 standing committees or 4 subcommittees of
12 those standing committees.

13 “(B) Any resolution submitted pursuant to the first
14 sentence of subparagraph (1) that violates subdivision (A)
15 shall not be privileged.

16 “(C) Before any committee may approve any sub-
17 committee assignment that violates subdivision (A), the
18 chairman or the ranking minority party member, as the
19 case may be, shall notify the appropriate party caucus.
20 Each such nomination for subcommittee membership shall
21 have no force or effect until approved by the House.

22 “(D) If a Member notifies the House of that Mem-
23 ber’s intention to make a unanimous consent request or
24 to offer a privileged motion to request a vote to waive the
25 limitation set forth in subdivision (A) with respect to that

1 Member, then after the passage of 48 hours, the Speaker
2 may entertain, upon recommendation of the respective
3 party caucus, a unanimous consent request of that Mem-
4 ber or a privileged motion for the waiver of the limitation
5 set forth in subdivision (A) with respect to that Member.
6 No such privileged motion or unanimous consent request
7 may be made for more than one Member at a time.

8 “(E)(i) This subparagraph shall not apply to the
9 Committee on Standards of Official Conduct.

10 “(ii) Members serving on the Committee on the
11 Budget may serve on one other standing committee during
12 their term of service on the Committee on the Budget.
13 Such Members may take a leave of absence from service
14 on any committee or subcommittee during the period they
15 serve on the Budget Committee and their seniority rights
16 on such committees and on each subcommittee to which
17 they were assigned at the time shall be fully protected as
18 if they had continued to serve during the period on leave
19 of absence. Any Member on such a leave of absence from
20 a standing committee shall not be deemed to be in viola-
21 tion of any committee or subcommittee service limitation
22 in this subparagraph.”.

23 (b) DE MINIMIS RULE FOR CONTINUATION OF
24 STANDING COMMITTEES.—Clause 6 of rule X of the Rules

1 of the House of Representatives is amended by adding at
2 the end the following new paragraph:

3 “(i) If the membership of a standing committee for
4 a Congress is below 50 percent of the number of members
5 serving on that committee at the end of the One Hundred
6 Third Congress, then the Committee on Rules shall con-
7 sider a resolution amending these Rules to eliminate that
8 committee and transfer its jurisdiction to one or more
9 other standing committees.”.

10 (c) RESTRICTION ON NUMBER OF SUBCOMMIT-
11 TEES.—Clause 6(d) of rule X of the Rules of the House
12 of Representatives is amended to read as follows:

13 “(d)(1) No exclusive or major committee, except the
14 Committee on Appropriations, shall have more than 5 sub-
15 committees. No nonmajor committee shall have more than
16 4 subcommittees.

17 “(2) As used in this paragraph, the terms exclusive,
18 major, and nonmajor, when referring to a committee, shall
19 have the meanings given them by the rules of the majority
20 party caucus.

21 “(3) No committee may establish any subunit of that
22 committee other than a subcommittee, unless the House,
23 by resolution, authorizes such establishment.”.

1 **SEC. 103. SCHEDULING.**

2 (a) LEGISLATIVE ACTIVITIES OF THE HOUSE.—It is
3 the sense of the House of Representatives that there
4 should be established a schedule of legislative activities of
5 the House that—

6 (1) provides for 4 full days of legislative busi-
7 ness per week while the House is in session;

8 (2) sets aside specific periods exclusively for
9 floor proceedings and exclusively for committee
10 meetings and hearings;

11 (3) rationalizes the scheduling of committee and
12 subcommittee meetings and hearings to minimize
13 scheduling conflicts; and

14 (4) encourages the use of computerized schedul-
15 ing to minimize such conflicts and requires that the
16 House Information Systems provide training to com-
17 mittee and subcommittee staff on the use of comput-
18 erized scheduling.

19 (b) NOTIFICATION OF COMMITTEE AND SUBCOMMIT-
20 TEE MEETINGS AND HEARINGS.—Clause 2(g)(3) of rule
21 XI of the Rules of the House of Representatives is amend-
22 ed—

23 (1) in the first sentence by striking “committee
24 hearing” and inserting “committee or subcommittee
25 meeting or hearing”;

1 (2) in the first sentence by inserting “meeting
2 or” before “hearing.”; and

3 (3) in the second sentence by inserting “meet-
4 ing or” before “hearing”.

5 **SEC. 104. SUBCOMMITTEE MEETINGS PROHIBITED DURING**
6 **FULL COMMITTEE MEETINGS.**

7 Clause 2(g) of rule XI is amended by adding at the
8 end the following new subparagraph:

9 “(7) No subcommittee of any committee may sit
10 when a meeting or hearing of the committee is in progress
11 without the prior written approval of the chairman of that
12 committee.”.

13 **“SEC. 105. COMMITTEE REPORTS.**

14 “Clause 3 of rule XXI of the Rules of the House of
15 Representatives is amended to read as follows:

16 “3. A report from any committee accompanying any
17 bill authorizing or providing obligational authority or tax
18 expenditures (as defined by section 3(3) of the Congres-
19 sional Budget Act of 1974), or the joint explanatory state-
20 ment accompanying a conference report on any bill au-
21 thorizing or providing obligational authority or tax ex-
22 penditures shall contain a concise statement—

23 “(1) describing fully the effect of any provision
24 of the accompanying bill or conference report which

1 directly or indirectly changes the application of ex-
2 isting laws; and

3 “(2) in a separate, clearly identifiable part of
4 the report or joint explanatory statement, list each
5 item in the accompanying bill (or that report) or
6 conference report (or that joint explanatory state-
7 ment) that earmarks the required use of funds below
8 the appropriation account level or provides a specific
9 tax expenditure.”.

10 **SEC. 106. NOTICE OF JURISDICTIONAL VIOLATIONS.**

11 Rule XXI of the Rules of the House of Representa-
12 tives is amended by adding at the end the following new
13 clause:

14 “8. (a) Whenever the Committee on Appropriations
15 orders reported any general appropriation bill which in-
16 cludes any provision in violation of clause 2 or 6 and with-
17 in the jurisdiction of any other standing committee, it
18 shall immediately notify that committee.

19 “(b) Whenever any other committee of the House or-
20 ders reported any bill or resolution, or amendment thereto,
21 carrying an appropriation from a committee not having
22 jurisdiction to report appropriations in violation of clause
23 5, that committee shall immediately notify the Committee
24 on Appropriations.

1 “(c) The Committee on Appropriations shall deliver
2 copies of appropriation bills as passed the House with
3 numbered Senate amendments to the appropriate author-
4 izing committees at least 24 hours before requesting ap-
5 pointment of conferees thereon unless the Speaker deter-
6 mines otherwise. The Committee on Appropriations shall,
7 upon the filing of a conference report on an appropriation
8 measure, deliver copies of the conference report and ac-
9 companying joint explanatory statement to the appro-
10 priate authorizing committees at least 24 hours before
11 floor action thereon unless the Speaker determines other-
12 wise.”.

13 **SEC. 107. INDEPENDENT INVESTIGATIONS AND FACTFIND-**
14 **ING FOR ETHICS INVESTIGATIONS.**

15 (a) APPOINTMENT OF INDEPENDENT PANEL.—(1)
16 The Speaker and the minority leader of the House of Rep-
17 resentatives shall appoint jointly 20 independent
18 factfinders at the beginning of each Congress to carry out
19 investigations on behalf of the House of Representatives
20 as required by the Committee on Standards of Official
21 Conduct. Independent factfinders appointed under this
22 section may include former Members of Congress, former
23 officers or employees of the Congress, or other private
24 citizens.

1 (2) No individual who engages in, or is otherwise em-
2 ployed in, lobbying of the Congress and who is required
3 under the Federal Regulation of Lobbying Act to register
4 with the Clerk of the House of Representatives or the
5 Secretary of the Senate shall be considered eligible for ap-
6 pointment as an independent factfinder under this sub-
7 section.

8 (b) COMPENSATION OF FACTFINDERS.—

9 (1) IN GENERAL.—Each independent factfinder
10 shall be compensated at a rate equal to the daily
11 equivalent of the annual rate of basic pay prescribed
12 for level IV of the Executive Schedule under section
13 5315 of title 5, United States Code, for each day
14 (including travel time) during which the independent
15 factfinder is engaged in the performance of his or
16 her duties under this section.

17 (2) TRAVEL EXPENSES.—Each independent
18 factfinder shall be allowed travel expenses, including
19 per diem in lieu of subsistence, at rates authorized
20 for employees of agencies under subchapter I of
21 chapter 57 of title 5, United States Code, while
22 away from his or her home or regular place of busi-
23 ness in the performance of his or her duties under
24 this section.

1 **SEC. 108. USE OF INDEPENDENT FACTFINDERS BY THE**
2 **COMMITTEE ON STANDARDS OF OFFICIAL**
3 **CONDUCT.**

4 The Committee on Standards of Official Conduct of
5 the House of Representatives shall adopt rules—

6 (1) allowing the committee to decide whether to
7 use, on a case-by-case basis, 4 or 6 independent
8 factfinders appointed in lieu of a 4 or 6-member in-
9 vestigative subcommittee whenever the committee
10 votes to conduct a preliminary inquiry;

11 (2) providing for the joint selection of 4 or 6
12 independent factfinders by the chairman and rank-
13 ing minority party member from the pool of 20 inde-
14 pendent factfinders appointed pursuant to section
15 107(a);

16 (3) providing that whenever independent
17 factfinders are used in lieu of a 4 or 6-member in-
18 vestigative subcommittee—

19 (A) upon completion of an investigation,
20 the independent factfinders shall report their
21 findings of fact and recommendations, if any, to
22 the committee;

23 (B) if the independent factfinders, by ma-
24 jority vote, adopt a statement of alleged viola-
25 tion, the entire committee shall be deemed to be
26 an adjudicatory subcommittee and be governed

1 by the rules adopted by the committee to carry
2 out section 803(d) of the Ethics Reform Act of
3 1989;

4 (4) providing that independent factfinders con-
5 ducting an investigation pursuant to this subsection
6 shall have the same power to investigate as vested
7 in the investigative subcommittee, subject to the ap-
8 proval of the chairman and ranking minority party
9 member; and

10 (5) providing that the staff of the committee
11 shall assist the independent factfinders in carrying
12 out their responsibilities.

13 **SEC. 109. TERM OF MEMBERSHIP AND CHAIRMANSHIP ON**
14 **PERMANENT SELECT COMMITTEE ON INTEL-**
15 **LIGENCE**

16 Clause 1(c) of rule XLVIII of the Rules of the House
17 of Representatives is amended to read as follows:

18 “(c) No Member of the House other than the major-
19 ity leader and the minority leader may serve on the select
20 committee during more than four Congresses in any pe-
21 riod of six successive Congresses (disregarding for this
22 purpose any service performed as a member of such com-
23 mittee for less than a full session in any Congress), except
24 that the incumbent chairman or ranking minority member
25 having served on the select committee for four Congresses

1 and having served as chairman or ranking minority mem-
2 ber for not more than one Congress shall be eligible for
3 reappointment to the select committee as chairman or
4 ranking minority member for one additional Congress.”.

5 **SEC. 110. REFORM OF OVERSIGHT PROCESS.**

6 (a) COMMITTEE OVERSIGHT AGENDA.—Clause 2 of
7 Rule X of the Rules of the House of Representatives is
8 amended by adding at the end the following:

9 “(d)(1) Not later than March 1 of the first session
10 of a Congress, each standing committee of the House shall
11 adopt an oversight agenda for that Congress addressing
12 the matters in paragraph (b)(1) of this Clause, and that
13 agenda shall be submitted to the Committee on House Ad-
14 ministration. Each committee may request the assistance
15 of the General Accounting Office and the Congressional
16 Research Service of the Library of Congress in developing
17 its oversight agenda and shall, to the maximum extent fea-
18 sible—

19 “(A) give priority consideration to including in
20 its plans the review of those laws, programs, or
21 agencies operating under permanent budget author-
22 ity or permanent statutory authority;

23 “(B) consult with other committees of the
24 House which have jurisdiction over the same or re-
25 lated laws, programs, or agencies within its jurisdic-

1 tion with the objective of ensuring that there is max-
2 imum coordination between such committees in the
3 conduct of such reviews; and such plans shall include
4 an explanation of what steps have been and will be
5 taken to assure such coordination and cooperation;
6 and

7 “(C) ensure that all significant laws, programs,
8 or agencies within its jurisdiction are subject to re-
9 view at least once every 10 years.

10 “(2) Each standing committee shall transmit its over-
11 sight agenda to the Committee on House Administration
12 for appropriate consideration in conjunction with its com-
13 mittee expense resolution pursuant to clause 5 of rule XI.

14 “(3) Not later than March 31 in the first session of
15 a Congress the Committee on House Administration, in
16 consultation with the Committee on Government Oper-
17 ations, shall publish and report to the House the oversight
18 agenda submitted by each committee together with any
19 recommendations which it may make to assure the most
20 effective coordination of such plans and otherwise achieve
21 the objective of this Clause.

22 “(e) Each standing committee of the House shall hold
23 hearings during each Congress for the purpose of review-
24 ing appropriate reports relating to the activities of execu-
25 tive agencies over which the committee has oversight re-

1 sponsibility filed during the preceding Congress, including
2 reports of the inspectors general, the General Accounting
3 Office, as well as agency audit reports.

4 “(f) The Speaker, with approval of the House, may
5 appoint special ad hoc oversight committees for the pur-
6 pose of reviewing specific matters within the jurisdiction
7 of 2 or more standing committees.”.

8 (b) COMMITTEE OVERSIGHT REPORT.—Clause 1(d)
9 of Rule XI of the Rules of the House of Representatives
10 is amended to read as follows:

11 “(d)(1) Each committee shall submit to the House
12 not later than January 2 of each odd-numbered year, a
13 report on the activities of that committee under this Rule
14 and Rule X during the Congress ending on January 3 of
15 such year.

16 “(2) Such report shall include separate sections sum-
17 marizing the legislative and oversight activities of that
18 committee during that Congress.

19 “(3) The oversight section of such report shall in-
20 clude a summary of the oversight agenda submitted by
21 the committee pursuant to Clause 2(d) of Rule X, a sum-
22 mary of the actions taken and recommendations made
23 with respect to each such agenda, and a summary of any
24 additional oversight activities undertaken by that commit-

tee, and any recommendations made or actions taken thereon.”.

SEC. 111. STAFF TRAINING.

It is the sense of the House that the Committee on House Administration should review the training and orientation programs currently available for the personal, committee, and administrative staff of the House, evaluate their overall effectiveness and utility, and develop, administer, and coordinate a comprehensive training program for House staff employees to enhance their subject expertise, skills, and knowledge so they can better assist the House of Representatives in the discharge of its responsibilities.

SEC. 112. AVAILABILITY OF LEGISLATIVE INFORMATION.

It is the sense of the House that—

(1) the 3-day layover requirement for committee reports on legislation and on conference reports may not be waived unless the legislation and any accompanying committee report or conference report have been available to each Member for at least 24 hours prior to its consideration on the House floor;

(2) an amendment to a bill to be considered under suspension of the rules should be printed and available to each Member for at least 24 hours prior to its consideration;

1 (3) committees and conference committees
2 should endeavor to file reports on word processing
3 computer disks to facilitate availability to Members;

4 (4) an internal cable system, a cable channel, or
5 party specific channels should be developed to pro-
6 vide Members with summaries of the pending legisla-
7 tion and should be available to Members in their of-
8 fices, committee hearing rooms, and in the cloak-
9 rooms;

10 (5) the full text of bills, amendments, reports,
11 Congressional Budget Office cost estimates, General
12 Accounting Office reports, Office of Technology As-
13 sessment reports, Congressional Research Service re-
14 ports and Issue Briefs, the Code of Federal Regula-
15 tions, the annotated Code of Federal Regulations,
16 the Congressional Record, and the Federal Register
17 should be made available to all Members and con-
18 gressional staff via computer no later than the be-
19 ginning of the 105th Congress; and

20 (6) appropriate legislative information referred
21 to under paragraph (5) should also be made avail-
22 able to the public and the Depository Libraries
23 through a low-cost computer connection.

1 **SEC. 113. PUBLIC UNDERSTANDING OF CONGRESS.**

2 It is the sense of the House of Representatives that
3 steps should be taken to improve the public's understand-
4 ing of Congress and the legislative process by—

5 (1) enhancing floor debate on major national is-
6 sues and improving the deliberative process on the
7 floor of the House by, for example, implementing
8 Oxford Union-style debates and related innovations;

9 (2) endorsing the efforts of the United States
10 Capitol Preservation Commission to raise private
11 funds for the creation of a congressional education
12 center;

13 (3) creating a central information telephone line
14 to enable citizens to find out such information as the
15 daily floor schedule, committee schedules, bill status
16 information, issue summaries, newly released re-
17 ports, how to access on-line information, and visitor
18 information;

19 (4) encouraging civic education programs to
20 better inform students, teachers, and citizens in gen-
21 eral about the legislative process; and

22 (5) encouraging the media galleries to orient
23 new journalists to the galleries and the Capitol and
24 to set up parliamentary procedure orientations
25 through the Congressional Research Service or some
26 other entity.

1 **SEC. 114. HOUSE-SENATE STAFF SALARY PARITY.**

2 It is the sense of the House that the Committee on
3 House Administration and the Committee on Appropria-
4 tions of the House of Representatives, in consultation with
5 the Committee on Rules and Administration and the Com-
6 mittee on Appropriations of the Senate, should conduct
7 a study of the salary ranges of House and Senate per-
8 sonal, committee, and administrative staff with a view to-
9 ward achieving bicameral salary parity for House and Sen-
10 ate staff performing analogous functions.

11 **SEC. 115. EXPANSION OF UNAUTHORIZED APPROPRIA-**
12 **TIONS POINTS OF ORDER.**

13 Clause 2(a) of rule XXI of the Rules of the House
14 of Representatives is amended by adding at the end the
15 following new sentence: “It shall not be in order to con-
16 sider any provision of a general appropriation bill (except
17 a conference report) that would exceed any applicable au-
18 thorization level as set forth in any authorization measure
19 as passed by the House.”.

20 **SEC. 116. MOTION TO RECOMMIT.**

21 (a) AFFIRMATION OF THE MOTION TO RECOMMIT.—
22 The second sentence of clause 4(b) of rule XI of the Rules
23 of the House of Representatives is amended by inserting
24 “nor shall it report any rule or order which would prevent
25 the motion to recommit from being made as provided in
26 clause 4 of rule XVI, including a motion to recommit with

1 amendatory instructions (except in the case of a Senate
2 measure for which the language of a House-passed meas-
3 ure has been proposed to be substituted) if offered by the
4 minority leader (or a designee);” after “present;”.

5 (b) POSTPONEMENT OF CONSIDERATION.—Rule I of
6 the Rules of the House of Representatives is amended by
7 adding at the end thereof the following new clause:

8 “3. The Speaker may postpone for not to exceed 2
9 hours the consideration of any motion to recommit.”.

10 **SEC. 117. DEBATE IN THE HOUSE.**

11 Strike the second sentence of clause 1 of rule XIV
12 of the Rules of the House of Representatives and insert
13 the following: “Debate may include references to actions
14 taken by the Senate or by the committees thereof which
15 are a matter of public record, references to the pendency
16 or sponsorship in the Senate of bills, resolutions, and
17 amendments, descriptions relating to Senate action or in-
18 action concerning a measure or matter, descriptions relat-
19 ing to the rules of the Senate and the effect of such rules
20 on actions concerning measures or matters in the Senate,
21 and quotations from Senate proceedings.”.

22 **SEC. 118. COMMITTEE REPORTS.**

23 (a) ROLL CALL VOTES.—Clause 2(l)(2)(B) of rule XI
24 of the Rules of the House of Representatives is amended
25 to read as follows:

1 “(B) With respect to each rollcall vote on a motion
2 to report any bill, resolution or matter of a public char-
3 acter, the total number of votes cast for and against re-
4 porting, and the names of those members voting for and
5 against, shall be included in the committee report on the
6 measure or matter.”.

7 (b) VOICE VOTES.—Clause 2(l)(2) of rule XI of the
8 Rules of the House of Representatives is amended by add-
9 ing at the end the following:

10 “(C) With respect to each nonrecord vote on a motion
11 to report any measure or matter of a public character,
12 the names of those members of the committee actually
13 present at the time the measure or matter is ordered re-
14 ported shall be included in the committee report.”.

15 **SEC. 119. PUBLICATION OF COMMITTEE ATTENDANCE AND**
16 **VOTING RECORDS.**

17 Clause 2(e)(1) of rule XI of the Rules of the House
18 of Representatives is amended—

19 (1) in the first sentence by inserting “or sub-
20 committee” after “committee” the second place it
21 appears; and

22 (2) by inserting at the end the following new
23 sentence: “The chairman of each committee shall
24 publish, in the Congressional Record, the committee
25 and subcommittee attendance and voting records (by

1 calendar day) of each member of the committee on
2 or before July 1 and on the last day of the session
3 of each calendar year.”.

4 **SEC. 120. ACCURACY OF THE CONGRESSIONAL RECORD.**

5 Rule XIV of the Rules of the House of Representa-
6 tives is amended by adding at the end the following new
7 section:

8 “9. (a) The Congressional Record shall be a substan-
9 tially verbatim account of remarks made during the pro-
10 ceedings of the House, subject only to technical, grammat-
11 ical, and typographical corrections authorized by the Mem-
12 ber making the remarks involved.

13 “(b) Unparliamentary remarks may be deleted only
14 by unanimous consent or by other order of the House.

15 “(c) The provisions of clause 4(e)(1) of rule X shall
16 apply to violations of this rule.”.

17 **SEC. 121. RECODIFICATION OF RULES OF THE HOUSE OF**
18 **REPRESENTATIVES.**

19 The Parliamentarian of the House of Representatives
20 shall, at the beginning of the 104th Congress, commence
21 to recodify the Rules of the House of Representatives by
22 clarifying conflicting definitions, eliminating anachro-
23 nisms, and reorganizing the rules into a more coherent
24 and logical structure. Such recodification shall be com-
25 pleted prior to the commencement of the 105th Congress.

1 For the purpose of carrying out the recodification, the
 2 Parliamentarian may utilize the services of personnel in
 3 the Congressional Research Service and the Government
 4 Printing Office.

5 **TITLE II—SENATE**

6 **[[Language to be supplied.]]**

7 **TITLE III—JOINT HOUSE AND** 8 **SENATE MATTERS**

9 **Subtitle A—Congressional Budget** 10 **Process**

11 **CHAPTER I—BIENNIAL BUDGETING**

12 **SEC. 301. REVISION OF TIMETABLE.**

13 Section 300 of the Congressional Budget Act of 1974
 14 (2 U.S.C. 631) is amended to read as follows:

15 “TIMETABLE

16 “SEC. 300. (a) IN GENERAL.—Except as provided by
 17 subsection (b), the timetable with respect to the congres-
 18 sional budget process for any Congress (beginning with
 19 the One Hundred Fourth Congress) is as follows:

“First Session

“On or before:

First Monday in Feb-
 ruary.

February 15

Within 6 weeks after
 budget submission.

April 1

Action to be completed:

President submits budget recommendations.

Congressional Budget Office submits report
 to Budget Committees.

Committees submit views and estimates to
 Budget Committees.

Budget Committees report concurrent resolu-
 tion on the biennial budget.

“First Session—Continued

April 15	Congress completes action on concurrent resolution on the biennial budget.
May 15	Biennial appropriation bills may be considered in the House.
June 10	House Appropriations Committee reports last biennial appropriation bill.
June 15	Congress completes action on reconciliation legislation.
June 30	Congress completes action on biennial appropriation bills.
October 1	Biennium begins.

“Second Session

“On or before:	Action to be completed:
May 15	Congressional Budget Office submits report to Budget Committees.
The last day of the session.	Congress completes action on bills and resolutions authorizing a new budget authority for the succeeding biennium.

1 “(b) SPECIAL RULE.—In the case of any session of
2 Congress that begins in any year immediately following
3 a leap year and during which the term of a President (ex-
4 cept a President who succeeds himself) begins, the follow-
5 ing dates shall supersede those set forth in subsection (a):

6 “(1) First Monday in April, President submits
7 budget recommendations.

8 “(2) April 20, committees submit views and es-
9 timates to Budget Committees.

10 “(3) May 15, Budget Committees report con-
11 current resolution on the biennial budget.

12 “(4) June 1, Congress completes action on con-
13 current resolution on the biennial budget.

14 “(5) July 1, biennial appropriation bills may be
15 considered in the House.

1 “(6) July 20, House Appropriations Committee
2 reports last biennial appropriation bill.”.

3 **SEC. 302. AMENDMENTS TO THE CONGRESSIONAL BUDGET**
4 **AND IMPOUNDMENT CONTROL ACT OF 1974.**

5 (a) DECLARATION OF PURPOSE.—Section 2(2) of the
6 Congressional Budget and Impoundment Control Act of
7 1974 (2 U.S.C. 621(2)) is amended by striking “each
8 year” and inserting “biennially”.

9 (b) DEFINITIONS.—

10 (1) Section 3(4) of such Act (2 U.S.C. 622(4))
11 is amended by striking “fiscal year” each place it
12 appears and inserting “biennium”.

13 (2) Section 3 of such Act (2 U.S.C. 622) is fur-
14 ther amended by adding at the end the following
15 new paragraph:

16 “(11) The term ‘biennium’ means the period of
17 2 consecutive fiscal years beginning on October 1 of
18 any odd-numbered year.”.

19 (c) BIENNIAL CONCURRENT RESOLUTION ON THE
20 BUDGET.—

21 (1) Section 301(a) of such Act (2 U.S.C.
22 632(a)) is amended—

23 (A) by striking “April 15 of each year”
24 and inserting “April 15 of each odd-numbered
25 year”;

1 (B) by striking “the fiscal year beginning
2 on October 1 of such year” the first place it ap-
3 pears and inserting “the biennium beginning on
4 October 1 of such year”;

5 (C) by striking “the fiscal year beginning
6 on October 1 of such year” the second place it
7 appears and inserting “each fiscal year in such
8 period”;

9 (D) by striking “and planning levels for
10 each of the two ensuing fiscal years” and in-
11 serting “and the appropriate levels for each of
12 the 3 ensuing fiscal years”;

13 (E) in paragraph (6) by striking “for the
14 fiscal year of the resolution and for each of the
15 4” and inserting “for the biennium of the reso-
16 lution and each of the 3”; and

17 (F) in paragraph (7) by striking “for the
18 fiscal year of the resolution and for each of the
19 4” and inserting “for the biennium of the reso-
20 lution and each of the 3”.

21 (2) Section 301(b) of such Act (2 U.S.C.
22 632(b)) is amended—

23 (A) in the matter preceding paragraph (1)
24 by inserting “for a biennium” after “concurrent
25 resolution on the budget”; and

1 (B) in paragraph (3) by striking “for such
2 fiscal year” and inserting “for either fiscal year
3 in such biennium”.

4 (3) Section 301(d) of such Act (2 U.S.C.
5 632(d)) is amended by inserting “(or, if applicable,
6 as provided by section 300(b))” after “United States
7 Code”.

8 (4) Section 301(e) of such Act (2 U.S.C.
9 632(e)) is amended—

10 (A) in the first sentence by striking “fiscal
11 year” and inserting “biennium”;

12 (B) by inserting between the second and
13 third sentences the following new sentence: “On
14 or before April 1 of each odd-numbered year
15 (or, if applicable, as provided by section 300(b))
16 the Committee on the Budget of each House
17 shall report to its House the concurrent resolu-
18 tion on the budget referred to in subsection (a)
19 for the biennium beginning on October 1 of
20 that year.”;

21 (C) in paragraph (6) by striking “such fis-
22 cal year,” and inserting “the first fiscal year of
23 such biennium,”; and

1 (D) in paragraph (10) by striking “the fis-
2 cal year covered” and inserting “the biennium
3 covered”.

4 (5) Section 301(f) of such Act (2 U.S.C.
5 632(f)) is amended by striking “fiscal year” each
6 place it appears and inserting “biennium”.

7 (6) Section 301(g)(1) of such Act (U.S.C.
8 632(g)(1)) is amended by striking “for a fiscal year”
9 and inserting “for a biennium”.

10 (7) The section heading of section 301 of such
11 Act is amended by striking “**ANNUAL**” and insert-
12 ing “**BIENNIAL**”.

13 (8) The table of contents set forth in section
14 1(b) of such Act is amended by striking “Annual”
15 in the item relating to section 301 and inserting
16 “Biennial”.

17 (d) SECTION 302 COMMITTEE ALLOCATIONS.—Sec-
18 tion 302(a)(2) of such Act (2 U.S.C. 633(a)(2)) is amend-
19 ed by striking “fiscal year of the resolution and for each
20 of the 4 succeeding fiscal years” and inserting “the bien-
21 nium of the resolution and each of the 3 succeeding fiscal
22 years”.

23 (e) SECTION 303 POINT OF ORDER.—

1 (1) Section 303(a) of such Act (2 U.S.C.
2 634(a)) is amended by striking “fiscal year” each
3 place it appears and inserting “biennium”.

4 (2) Section 303(b) of such Act (2 U.S.C.
5 634(b)) is amended—

6 (A) in subparagraphs (A) and (B) of para-
7 graph (1) by striking “the fiscal year” each
8 place it appears and inserting “biennium”;

9 (B) in paragraph (1) by striking “any cal-
10 endar year” and inserting “any odd-numbered
11 calendar year (or, if applicable, as provided by
12 section 300(b))”; and

13 (C) by striking paragraph (2), striking
14 “(1)”, and redesignating subparagraphs (A)
15 and (B) as paragraphs (1) and (2), respectively.

16 (f) PERMISSIBLE REVISIONS OF CONCURRENT RESO-
17 LUTIONS ON THE BUDGET.—Section 304(a) of such Act
18 (2 U.S.C. 635) is amended—

19 (1) by striking “fiscal year” the first two places
20 it appears and inserting “biennium”;

21 (2) by striking “for such fiscal year”; and

22 (3) by inserting before the period “for such
23 biennium”.

24 (g) PROCEDURES FOR CONSIDERATION OF BUDGET
25 RESOLUTIONS.—Section 305(a)(3) of such Act (2 U.S.C.

1 636(b)(3)) is amended by striking “fiscal year” and in-
2 serting “biennium”.

3 (h) REPORTS AND SUMMARIES OF CONGRESSIONAL
4 BUDGET ACTIONS.—Section 308(a)(1)(A) of such Act (2
5 U.S.C. 639(a)(1)) is amended by striking “fiscal year (or
6 fiscal years)” and inserting “biennium”.

7 (i) COMPLETION OF ACTION ON REGULAR APPRO-
8 PRIATION BILLS.—Section 309 of such Act (2 U.S.C.
9 640) is amended—

10 (1) by inserting “of any odd-numbered calendar
11 year” after “July”;

12 (2) by striking “annual” and inserting “regu-
13 lar”; and

14 (3) by striking “fiscal year” and inserting “bi-
15 ennium”.

16 (j) RECONCILIATION PROCESS.—

17 (1) Section 310(a) of such Act (2 U.S.C.
18 641(a)) is amended—

19 (A) by striking “any fiscal year” in the
20 matter preceding paragraph (1) and inserting
21 “any biennium”;

22 (B) in paragraph (1) by striking “such fis-
23 cal year” each place it appears and inserting
24 “each fiscal year in such biennium”; and

1 (C) in paragraph (2) by inserting “for each
2 fiscal year in such biennium” after “revenues”.

3 (2) Section 310(f) of such Act (2 U.S.C.
4 641(f)) is amended by striking “for such fiscal year”
5 and inserting “for such biennium”.

6 (k) SECTION 311 POINT OF ORDER.—

7 (1)(A) Section 311(a)(1) of such Act (2 U.S.C.
8 642(a)) is amended—

9 (i) by striking “for a fiscal year” and in-
10 serting “for a biennium”;

11 (ii) by striking “such fiscal year” the first
12 place it appears and inserting “either fiscal
13 year in such biennium”;

14 (iii) by striking “during such fiscal year”
15 and inserting “during either fiscal year in such
16 biennium”;

17 (iv) by striking “revenues for such fiscal
18 year” and inserting “revenues for a fiscal
19 year”; and

20 (v) by striking “budget for such fiscal
21 year” and inserting “budget for either fiscal
22 year in such biennium”.

23 (B) Section 311(a)(2)(A) of such Act is amend-
24 ed—

1 (i) by striking “for the first” and inserting
2 “for either”;

3 (ii) by striking “covering such fiscal year”
4 and inserting “covering such biennium”;

5 (iii) by striking “the first fiscal year cov-
6 ered” and inserting “either fiscal year in such
7 biennium covered”;

8 (iv) by striking “the first fiscal year plus”
9 and inserting “the biennium plus”; and

10 (v) by striking “4 fiscal years” and insert-
11 ing “3 fiscal years”.

12 (2) Section 311(b) of such Act (2 U.S.C.
13 642(b)) is amended by striking “such fiscal year”
14 the second place it appears and inserting “either fis-
15 cal year in such biennium”.

16 (l) BILLS PROVIDING NEW SPENDING AUTHORITY.—
17 Section 401(b)(2) of such Act (2 U.S.C. 651(b)(2)) is
18 amended by striking “for such fiscal year” the second
19 place it appears and inserting “for the biennium in which
20 such fiscal year occurs”.

21 (m) DATE OF ADJUSTING ALLOCATIONS.—Section
22 603(a) of such Act (2 U.S.C. 665b) is amended by insert-
23 ing after “April 15” the following “(or if section 300(b)
24 applies by June 15th)”.

1 **SEC. 303. AMENDMENTS TO TITLE 31, UNITED STATES**
2 **CODE.**

3 (a) DEFINITION.—Section 1101 of title 31, United
4 States Code, is amended by adding at the end thereof the
5 following new paragraph:

6 “(3) ‘biennium’ has the meaning given to such
7 term in paragraph (12) of section 3 of the Congres-
8 sional Budget and Impoundment Control Act of
9 1974 (2 U.S.C. 622(12)).”.

10 (b) BUDGET CONTENTS AND SUBMISSION TO THE
11 CONGRESS.—

12 (1) So much of section 1105(a) of title 31,
13 United States Code, as precedes paragraph (1)
14 thereof is amended to read as follows:

15 “(a) On or before the first Monday in February of
16 each odd-numbered year (or, if applicable, as provided by
17 section 300(b) of the Congressional Budget Act of 1974),
18 beginning with the One Hundred Fourth Congress, the
19 President shall transmit to the Congress, the budget for
20 the biennium beginning on October 1 of such calendar
21 year. The budget transmitted under this subsection shall
22 include a budget message and summary and supporting
23 information. The President shall include in each budget
24 the following:”.

25 (2) Section 1105(a)(5) of title 31, United
26 States Code, is amended by striking “the fiscal year

1 for which the budget is submitted and the 4 fiscal
2 years after that year” and inserting “each fiscal
3 year in the biennium for which the budget is submit-
4 ted and in the succeeding 3 years”.

5 (3) Section 1105(a)(6) of title 31, United
6 States Code, is amended by striking “the fiscal year
7 for which the budget is submitted and the 4 fiscal
8 years after that year” and inserting “each fiscal
9 year in the biennium for which the budget is submit-
10 ted and in the succeeding 3 years”.

11 (4) Section 1105(a)(9)(C) of title 31, United
12 States Code, is amended by striking “the fiscal
13 year” and inserting “each fiscal year in the
14 biennium”.

15 (5) Section 1105(a)(12) of title 31, United
16 States Code, is amended—

17 (A) by striking “the fiscal year” in sub-
18 paragraph (A) and inserting “each fiscal year
19 in the biennium”; and

20 (B) by striking “4 fiscal years after that
21 year” in subparagraph (B) and inserting “3 fis-
22 cal years immediately following the second fiscal
23 year in such biennium”.

24 (6) Section 1105(a)(13) of title 31, United
25 States Code, is amended by striking “the fiscal

1 year” and inserting “each fiscal year in the
2 biennium”.

3 (7) Section 1105(a)(14) of title 31, United
4 States Code, is amended by striking “that year” and
5 inserting “each fiscal year in the biennium for which
6 the budget is submitted”.

7 (8) Section 1105(a)(16) of title 31, United
8 States Code, is amended by striking “the fiscal
9 year” and inserting “each fiscal year in the
10 biennium”.

11 (9) Section 1105(a)(17) of title 31, United
12 States Code, is amended—

13 (A) by striking “the fiscal year following
14 the fiscal year” and inserting “each fiscal year
15 in the biennium following the biennium”;

16 (B) by striking “that following fiscal year”
17 and inserting “each such fiscal year”; and

18 (C) by striking “fiscal year before the fis-
19 cal year” and inserting “biennium before the bi-
20 ennium”.

21 (10) Section 1105(a)(18) of title 31, United
22 States Code, is amended—

23 (A) by striking “the prior fiscal year” and
24 inserting “each of the 2 most recently com-
25 pleted fiscal years”;

1 (B) by striking “for that year” and insert-
2 ing “with respect to that fiscal year”; and

3 (C) by striking “in that year” and insert-
4 ing “in that fiscal year”.

5 (11) Section 1105(a)(19) of title 31, United
6 States Code, is amended—

7 (A) by striking “the prior fiscal year” and
8 inserting “each of the 2 most recently com-
9 pleted fiscal years”;

10 (B) by striking “for that year” and insert-
11 ing “with respect to that fiscal year”; and

12 (C) by striking “in that year” each place
13 it appears and inserting “in that fiscal year”.

14 (c) ESTIMATED EXPENDITURES OF LEGISLATIVE
15 AND JUDICIAL BRANCHES.—Section 1105(b) of title 31,
16 United States Code, is amended by striking “each year”
17 and inserting “each even-numbered year”.

18 (d) RECOMMENDATIONS TO MEET ESTIMATED DE-
19 FICIENCIES.—Section 1105(c) of title 31, United States
20 Code, is amended—

21 (1) by striking “fiscal year for” each place it
22 appears and inserting “biennium for”;

23 (2) by inserting “or current biennium, as the
24 case may be,” after “current fiscal year”; and

1 (3) by striking “that year” and inserting “that
2 period”.

3 (e) STATEMENT WITH RESPECT TO CERTAIN
4 CHANGES.—Section 1105(d) of title 31, United States
5 Code, is amended by striking “fiscal year” and inserting
6 “biennium”.

7 (f) CAPITAL INVESTMENT ANALYSIS.—Section
8 1105(e) of title 31, United States Code, is amended by
9 striking “ensuing fiscal year” and inserting “biennium to
10 which such budget relates”.

11 (g) SUPPLEMENTAL BUDGET ESTIMATES AND
12 CHANGES.—

13 (1) Section 1106(a) of title 31, United States
14 Code, is amended—

15 (A) in the matter preceding paragraph (1)
16 by striking “fiscal year” and inserting “bien-
17 nium”;

18 (B) in paragraph (1) by striking “that fis-
19 cal year” and inserting “each fiscal year in
20 such biennium”;

21 (C) in paragraph (2) by striking “4 fiscal
22 years following the fiscal year” and inserting “3
23 fiscal years following the biennium”; and

24 (D) by striking “fiscal year” in paragraph
25 (3) and inserting “biennium”.

1 (2) Section 1106(b) of title 31, United States
2 Code, is amended by striking “the fiscal year” and
3 inserting “each fiscal year in the biennium”.

4 (h) CURRENT PROGRAMS AND ACTIVITIES ESTI-
5 MATES.—

6 (1) Section 1109(a) of title 31, United States
7 Code, is amended—

8 (A) by striking “On or before the first
9 Monday after January 3 of each year (on or be-
10 fore February 5 in 1986)” and inserting “At
11 the same time the budget required by section
12 1105 is submitted for a biennium”; and

13 (B) by striking “the following fiscal year”
14 and inserting “each fiscal year of such period”.

15 (2) Section 1109(b) of title 31, United States
16 Code, is amended by striking “before March 1 of
17 each year” and inserting “within 6 weeks of the
18 President’s budget submission for each odd-num-
19 bered year (or, if applicable, as provided by section
20 300(b) of the Congressional Budget Act of 1974)”.

21 (i) YEAR-AHEAD REQUESTS FOR AUTHORIZING LEG-
22 ISLATION.—Section 1110 of title 31, United States Code,
23 is amended—

8 (j) BUDGET INFORMATION ON CONSULTING SERV-
9 ICES.—Section 1114 of title 31, United States Code, is
10 amended—

14 (2) by striking “each year” each place it
15 appears.

(a) TWO-YEAR APPROPRIATIONS.—Section 105 of title 1, United States Code, is amended to read as follows:

21 “(a) The style and title of all Acts making appropri-
22 tions for the support of the Government shall be as fol-
23 lows: ‘An Act making appropriations (here insert the ob-
24 ject) for the biennium ending September 30 (here insert
25 the odd-numbered calendar year).’.

1 “(b) All Acts making regular appropriations for the
2 support of the Government shall be enacted for a biennium
3 and shall specify the amount of appropriations provided
4 for each fiscal year in such period.

5 “(c) For purposes of this section, the term ‘biennium’
6 has the same meaning as in section 3(11) of the Congres-
7 sional Budget and Impoundment Control Act of 1974 (2
8 U.S.C. 622(11)).”.

9 (b) CONFORMING CHANGE.—The chapter analysis of
10 chapter 2 of title 1, United States Code, is amended by
11 inserting “and style” after “Title” in the item relating to
12 section 105.

13 **SEC. 305. CONFORMING AMENDMENTS TO RULES OF**
14 **HOUSE OF REPRESENTATIVES.**

15 (a) Clause 4(a)(1)(A) of rule X of the Rules of the
16 House of Representatives is amended by inserting “odd-
17 numbered” after “each”.

18 (b) Clause 4(a)(2) of rule X of the Rules of the House
19 of Representatives is amended by striking “such fiscal
20 year” and inserting “the biennium in which such fiscal
21 year begins”.

22 (c)(1) Clause 4(b)(2) of rule X of the Rules of the
23 House of Representatives is amended by striking “concur-
24 rent resolutions on the budget for each fiscal year” and
25 inserting “concurrent resolution on the budget required

1 under section 301(a) of the Congressional Budget Act of
2 1974 for each biennium”.

3 (2) Clause 4(b) of rule X of the Rules of the House
4 of Representatives is amended by striking “and” at the
5 end of subparagraph (4), by striking the period and insert-
6 ing “; and” at the end of subparagraph (5), and by adding
7 at the end the following new subparagraph:

8 “(6) to use the second year of each biennium to
9 study issues with long-term budgetary and economic
10 implications, which would include—

11 “(A) holding hearings to receive testimony
12 from committees of jurisdiction to identify prob-
13 lem areas and to report on the results of over-
14 sight; and

15 “(B) by January 1 of each odd-numbered
16 year, issuing a report to the Speaker which
17 identifies the key issues facing the Congress in
18 the next biennium.”.

19 (d) Clause 4(f) of rule X of the Rules of the House
20 of Representatives is amended by striking “annually” each
21 place it appears and inserting “biennially”.

22 (e) Clause 4(g) of rule X of the Rules of the House
23 of Representatives is amended—

24 (1) by striking “February 25 of each year” and
25 inserting “March 15 of each odd-numbered year (or,

1 if applicable, as provided by section 300(b) of the
2 Congressional Budget Act of 1974)”;

3 (2) by striking “fiscal year” the first place it
4 appears and inserting “biennium”; and

5 (3) by striking “that fiscal year” and inserting
6 “each fiscal year in such ensuing biennium”.

7 (f) Clause 4(h) of rule X of the Rules of the House
8 of Representatives is amended by striking “fiscal year”
9 and inserting “biennium”.

10 (g) Subdivision (C) of clause 2(l)(1) of rule XI of the
11 Rules of the House of Representatives is repealed.

12 (h) Clause 4(a) of rule XI of the Rules of the House
13 of Representatives is amended by striking “fiscal year if
14 reported after September 15 preceding the beginning of
15 such fiscal year” and inserting “biennium if reported after
16 August 1 of the year in which such biennium begins”.

17 **SEC. 306. MULTIYEAR AUTHORIZATIONS.**

18 (a) IN GENERAL.—Title III of the Congressional
19 Budget Act of 1974 is amended by adding at the end the
20 following new section:

21 “AUTHORIZATIONS OF APPROPRIATIONS

22 “SEC. 314. (a) It shall not be in order in the House
23 of Representatives or the Senate to consider any bill, joint
24 resolution, amendment, or conference report that author-
25 izes appropriations for a period of less than 2 fiscal years,

1 unless the program, project, or activity for which the
2 funds are to be spent is of less than 2 years duration.

3 “(b) It shall not be in order in the House of Rep-
4 resentatives or the Senate to consider any bill, joint resolu-
5 tion, amendment, or conference report that—

6 “(1) appropriates an amount for a program,
7 project, or activity not authorized by existing law in
8 excess of the amount previously appropriated for
9 such program, project, or activity; or

10 “(2) appropriates an amount for a program,
11 project, or activity not authorized by law within the
12 2-year period prior to the date of the appropriation.

13 “(c) By January 2 of each odd-numbered year, each
14 standing committee of the House of Representatives and
15 the Senate shall file a report with its House outlining its
16 oversight activities during the Congress. Each report shall
17 consider the appropriateness of agency missions, the suc-
18 cess of programs in meeting their goals, and issues to con-
19 sider when reauthorizing these programs.”.

20 (b) CONFORMING AMENDMENT.—The table of con-
21 tents set forth in section 1(b) of the Congressional Budget
22 and Impoundment Control Act of 1974 is amended by
23 adding after the item relating to section 313 the following
24 new item:

“Sec. 314. Authorizations of appropriations.”.

CHAPTER 2—ADDITIONAL BUDGET PROCESS CHANGES

SEC. 321. CBO REPORTS TO BUDGET COMMITTEES.

Section 308 of the Congressional Budget Act of 1974 is amended by—

(1) redesignating subsection (c) as subsection (d); and

(2) inserting after subsection (b) the following:

“(c) QUARTERLY BUDGET REPORTS.—The Congressional Budget Office shall, as soon as practicable after the completion of each quarter of the fiscal year, prepare an analysis comparing revenues, spending, and the deficit for the current fiscal year to assumptions included in the Congressional budget resolution. In preparing this report, the Congressional Budget Office shall combine actual budget figures to date with projected revenue and spending for the balance of the fiscal year. The Congressional Budget Office shall include any other information in this report that it deems useful for a full understanding of the current fiscal position of the Federal Government. The reports mandated by this subsection shall be transmitted by the Director to the Senate and House Committees on the Budget, and the Congressional Budget Office shall make such reports available to any interested party upon request.”.

1 **SEC. 322. GNP BUDGET ANALYSIS; FISCAL AND BUDGET**
2 **POLICY REPORTS.**

3 (a) GNP BUDGET ANALYSIS.—Section 3(a) of the
4 Employment Act of 1946 (15 U.S.C. 1022(a)) is amended
5 by striking “and” at the end of paragraph (3), by striking
6 the period and inserting “; and” at the end of paragraph
7 (4), and by adding at the end the following new para-
8 graph:

9 “(5) a GNP budget analysis comprising—

10 “(A) a statement of broad policy objectives
11 for the performance of the economy and the al-
12 location of national output among broad major
13 categories of spending over the next 10 fiscal
14 years; and

15 “(B) a GNP analysis showing how the cur-
16 rent national output is allocated among dif-
17 ferent major categories and how that allocation
18 will be affected in 1 year, 5 years, and 10 years
19 under the policies the President recommends in
20 pursuit of the statement of objectives.”.

21 (b) FISCAL POLICY REPORTS.—Not later than 7 days
22 after the President’s submission under section 3(a) of the
23 Employment Act of 1946, the President shall transmit to
24 the Congress written reports setting forth—

1 (1) the President’s long-term budget and fiscal
2 policy goals as set forth in the most recent analysis
3 under section 3(a) of the Employment Act of 1946;

4 (2) other material including a 10-year projec-
5 tion of Federal revenues by source, outlays by func-
6 tion, and the Federal budget deficit; international
7 comparisons that would help Congress compare
8 United States taxes, spending, deficits, debt, and al-
9 location of national output to that of other coun-
10 tries, especially our international competitors; and
11 program performance indicators to allow Congress to
12 assess the effectiveness of Federal programs in
13 meeting stated objectives.

14 (c) COMMITTEE REVIEW.—Section 301(a) of the Full
15 Employment and Balanced Growth Act of 1978 (15
16 U.S.C. 3131(a)) is amended by inserting after “System,”
17 the following: “the fiscal and budget policy reports re-
18 quired under section 322 of the Legislative Reorganization
19 Act of 1993,”.

20 **SEC. 323. GOVERNMENT-WIDE REVIEW.**

21 (a) The Director of the Congressional Budget Office
22 shall, within 90 days of the enactment of this Act, conduct
23 a review of all Government user fees. This report will set
24 forth the current level of such fees, the dates at which
25 the current fees were established, and any alteration in

1 such fees required to adjust their levels as a result of
2 changes in consumer price levels since the most recent ad-
3 justment. The Director shall transmit such findings to the
4 Congress and to the President.

5 (b) It shall not be in order in the House of Represent-
6 atives or the Senate to consider any concurrent resolution
7 on the budget for the fiscal year beginning the following
8 October 1 after the date of enactment of this Act until
9 the report described in subsection (a) has been received
10 by each House of Congress, and referred to the appro-
11 priate committees.

12 **SEC. 324. CONTENT OF BUDGET RESOLUTIONS.**

13 Section 301(a) of the Congressional Budget Act of
14 1974 is amended by redesignating paragraphs (3) through
15 (7) as paragraphs (4) through (8), respectively, and by
16 inserting after paragraph (2) the following new paragraph:

17 “(3) total revenue losses attributable to provi-
18 sions of Federal tax laws which allow a special exclu-
19 sion, exemption, or deduction from gross income or
20 which provide a special credit, a preferential rate of
21 tax, or a deferral of tax liability and the aggregate
22 amount by which such total shall be increased or
23 decreased;”.

1 **CHAPTER 3—EFFECTIVE DATE**

2 **SEC. 331. EFFECTIVE DATE; APPLICATION.**

3 (a) IN GENERAL.—Except as provided in subsection
4 (b), chapter 1 of this subtitle and the amendments made
5 by it shall become effective January 1, 1995, and shall
6 apply to bienniums beginning after September 30, 1995.

7 (b) FISCAL YEAR 1995.—Notwithstanding subsection
8 (a), the provisions of—

9 (1) the Congressional Budget Act of 1974, and

10 (2) title 31, United States Code,

11 (as such provisions were in effect on the day before the
12 effective date of chapter 1 of this subtitle) shall apply to
13 the fiscal year beginning on October 1, 1994.

14 (c) DEFINITION.—For purposes of this section, the
15 term “biennium” shall have the meaning given to such
16 term in paragraph (11) of section 3 of the Congressional
17 Budget and Impoundment Control Act of 1974 (2 U.S.C.
18 622(11)), as added by section 302(b)(2) of this Act.

19 **Subtitle B—Staffing and** 20 **Instrumentalities**

21 **SEC. 341. LEGISLATIVE BRANCH STREAMLINING AND RE-** 22 **STRUCTURING.**

23 (a) EFFICIENCIES, SAVINGS, AND STAFF REDUC-
24 TIONS.—Not later than the beginning of the second ses-
25 sion of the One Hundred Fourth Congress, the task force

1 of the House of Representatives under subsection (c) and
2 the appropriate committees of the Senate shall submit to
3 the leadership of the House of Representatives and the
4 leadership of the Senate, respectively, recommendations
5 for achieving—

6 (1) economic efficiencies and cost savings in the
7 administrative operations of the legislative branch;
8 and

9 (2) reductions, from the level as of September
10 30, 1992, in the total number of employee positions
11 (on a full-time equivalent basis) in the legislative
12 branch, consistent with the reductions for the execu-
13 tive branch implemented pursuant to the Report of
14 the National Performance Review, as submitted by
15 the Vice President on September 7, 1993.

16 (b) APPROVAL AND IMPLEMENTATION.—The rec-
17 ommendations approved by the appropriate leadership
18 shall be implemented in the regular appropriation bill for
19 the legislative branch for fiscal year 1997, as reported by
20 the Committee on Appropriations of the House of Rep-
21 resentatives or the Committee on Appropriations of the
22 Senate, as applicable.

23 (c) HOUSE OF REPRESENTATIVES TASK FORCE.—
24 The Speaker of the House of Representatives shall appoint
25 a task force for purposes of subsection (a). The task force

1 shall consist of 12 Members of the House of Representa-
2 tives, as follows:

3 (1) 3 members of the Committee on House Ad-
4 ministration, appointed by the Speaker in consulta-
5 tion with the majority leader;

6 (2) 2 members of the Committee on House Ad-
7 ministration, appointed by the Speaker in consulta-
8 tion with the minority leader;

9 (3) 3 members of the Committee on Appropria-
10 tions, appointed by the Speaker in consultation with
11 the majority leader;

12 (4) 2 members of the Committee on Appropria-
13 tions, appointed by the Speaker in consultation with
14 the minority leader;

15 (5) one additional Member of the House of
16 Representatives, appointed by the Speaker in con-
17 sultation with the majority leader; and

18 (6) one additional Member of the House of
19 Representatives, appointed by the Speaker in con-
20 sultation with the minority leader.

21 The expenses and staff of the task force shall be provided
22 from existing resources of the Committee on House Ad-
23 ministration and the Committee on Appropriations.

24 (d) DEFINITION.—As used in this section, the term
25 “leadership” means—

1 (1) with respect to the House of Representa-
2 tives, the Speaker, the majority leader, and the mi-
3 nority leader; and

4 (2) with respect to the Senate, the President
5 pro tempore, the majority leader, and the minority
6 leader.

7 **SEC. 342. AUTHORIZATION AND FUNDING OF CERTAIN CON-**
8 **GRESSIONAL INSTRUMENTALITIES.**

9 (a) IN GENERAL.—It is the intent of Congress that
10 the General Accounting Office, Congressional Budget Of-
11 fice, Congressional Research Service of the Library of
12 Congress, Government Printing Office, and Office of
13 Technology Assessment shall be authorized for 8 fiscal
14 years in accordance with this section.

15 (b) CYCLE.—The instrumentalities listed in sub-
16 section (a) shall be authorized by the enactment every
17 eighth year beginning for fiscal year 1997 of an Act to
18 authorize appropriations for those offices for the next 8
19 fiscal years.

20 (c) REPEALERS.—

21 (1) GENERAL ACCOUNTING OFFICE.—Section
22 736 of title 31, United States Code, is repealed.

23 (2) CONGRESSIONAL BUDGET OFFICE.—Section
24 201(f) of the Congressional Budget Act of 1974 (2
25 U.S.C. 601(f)) is repealed.

1 (3) CONGRESSIONAL RESEARCH SERVICE.—Any
2 authorization of appropriations for the Congressional
3 Research Service of the Library of Congress in effect
4 on the effective date of this paragraph is repealed.

5 (4) GOVERNMENT PRINTING OFFICE.—Any au-
6 thorization of appropriations for the Government
7 Printing Office in effect on the effective date of this
8 paragraph is repealed.

9 (5) OFFICE OF TECHNOLOGY ASSESSMENT.—
10 Section 12 of the Technology Assessment Act of
11 1972 (2 U.S.C. 481) is repealed.

12 (6) EFFECTIVE DATE.—This subsection shall
13 take effect with respect to fiscal years beginning
14 with fiscal year 1997.

15 **SEC. 343. COORDINATION OF LEGISLATIVE BRANCH SERV-**
16 **ICES.**

17 (a) IN GENERAL.—Not later than the end of the first
18 session of the 104th Congress, the appropriate committees
19 of the House and the appropriate committees of the Sen-
20 ate are to study and report to their leadership rec-
21 ommendations providing for better coordination of the leg-
22 islative branch services, positions, and entities specified in
23 subsection (b). The study should consider the need for the
24 creation of a bicameral management board to provide such
25 coordination.

1 (b) SERVICES, POSITIONS, AND ENTITIES.—The
2 services, positions, and entities referred to in subsection
3 (a) are (1) printing, (2) recording, (3) photography, (4)
4 guide service, (5) folding and packaging, (6) chaplain, (7)
5 flag office, (8) parking permits, (9) security, (10) Con-
6 gressional Budget Office, (11) disbursements and receipts,
7 (12) legal services, (13) Architect of the Capitol, (14)
8 maintenance of grounds and buildings, (15) library, (16)
9 drafting services, (17) research, and (18) computer
10 services.

11 **SEC. 344. COMPETITIVE BIDDING FOR LEGISLATIVE**
12 **BRANCH SERVICES AND FACILITIES.**

13 (a) IN GENERAL.—Not later than the end of the first
14 session of the 104th Congress, the appropriate committees
15 of the House and the appropriate committees of the Sen-
16 ate are to study and report on the feasibility of providing
17 for competitive bidding for the right to operate the legisla-
18 tive branch facilities and provide the legislative branch
19 services specified in subsection (b). The study is to con-
20 sider whether the periodic reauthorization of such facilities
21 and services is necessary and the appropriate duration for
22 such reauthorizations.

23 (b) FACILITIES AND SERVICES.—The facilities and
24 services referred to in subsection (a) are (1) barber and

1 beauty shops, (2) gymnasium, (3) health and medical, (4)
2 restaurants, (5) automobile services, and (6) child care.

3 **Subtitle C—Application of Federal**
4 **Laws**

5 **SEC. 351. DEFINITIONS.**

6 As used in this subtitle:

7 (1) CONGRESSIONAL EMPLOYEE.—The term
8 “congressional employee” means—

9 (A) an employee of the House of Rep-
10 resentatives;

11 (B) an employee of the Senate; and

12 (C) an employee of the Architect of the
13 Capitol.

14 (2) EMPLOYEE OF THE HOUSE OF REPRESENT-
15 ATIVES.—The term “employee of the House of Rep-
16 resentatives” means—

17 (A) an individual who was eligible to file a
18 formal complaint with the Office of Fair Em-
19 ployment Practice of the House of Representa-
20 tives under clause 6 of rule LI of the House of
21 Representatives, as in effect on the day before
22 the date of enactment of this subtitle.

23 (B) any applicant for a position that will
24 last 90 days or more and that is to be occupied

1 by an individual described in subparagraph (A);
2 or

3 (C) any individual who was formerly an
4 employee described in subparagraph (A) and
5 whose claim of a violation arises out of the indi-
6 vidual's House of Representatives employment.

7 (3) EMPLOYEE OF THE SENATE.—The term
8 “employee of the Senate” means—

9 (A) any employee whose pay is disbursed
10 by the Secretary of the Senate;

11 (B) any applicant for a position that will
12 last 90 days or more and that is to be occupied
13 by an individual described in subparagraph
14 (A)); or

15 (C) any individual who was formerly an
16 employee described in subparagraph (A) and
17 whose claim of a violation arises out of the indi-
18 vidual's Senate employment.

19 (4) EMPLOYEE OF THE ARCHITECT OF THE
20 CAPITOL.—The term “employee of the Architect of
21 the Capitol” means—

22 (A) an employee of the Architect of the
23 Capitol or an individual within the administra-
24 tive jurisdiction of the Architect of the Capitol
25 if such employee or individual is paid from

1 funds under a law providing appropriations for
2 the legislative branch;

3 (B) any applicant for a position that will
4 last 90 days or more and that is to be occupied
5 by an employee or individual described in sub-
6 paragraph (A); or

7 (C) any individual who was formerly an
8 employee or individual described in subpara-
9 graph (A) and whose claim of a violation arises
10 out of the individual's Architect of the Capitol
11 employment.

12 **SEC. 352. APPLICATION OF LAWS.**

13 (a) LAWS WHICH WILL APPLY.—Within 90 days
14 after the date final regulations under section 354(b)(1)
15 to implement the results of the study under section
16 354(a)(1)(A) take effect, the following laws shall apply to
17 a congressional employee:

18 (1) The Fair Labor Standards Act of 1938 (29
19 U.S.C. 201 et seq.).

20 (2) Title VII of the Civil Rights Act of 1964
21 (42 U.S.C. 2000e et seq.).

22 (3) Sections 102 through 104 of the Americans
23 With Disabilities Act of 1990 (42 U.S.C. 12112–
24 12114).

1 (4) Section 15 of the Age Discrimination in
2 Employment Act of 1967 (29 U.S.C. 633a).

3 (5) The Family and Medical Leave Act of 1993
4 (29 U.S.C. 2611 et seq.).

5 (b) LAWS WHICH MAY BE MADE APPLICABLE.—Any
6 provision of Federal law shall, to the extent that it relates
7 to—

8 (1) the terms and conditions of employment (in-
9 cluding hiring, promotion or demotion, salary and
10 wages, overtime compensation, benefits, work assign-
11 ments or reassignments, termination, and family and
12 medical leave) of employees

13 (2) protection from discrimination in personnel
14 actions, including discrimination based on—

15 (A) race, color, religion, sex (including
16 marital and parental status), or national origin
17 within the meaning of section 717 of the Civil
18 Rights Act of 1964 (42 U.S.C. 20003-16),

19 (B) age within the meaning of section 13
20 of the Age Discrimination in Employment Act
21 of 1967 (29 U.S.C. 633a), or

22 (C) handicap or disability within the mean-
23 ing of section 501 of the Rehabilitation Act of
24 1973 (29 U.S.C. 791) and sections 102 through

1 104 of the Americans with Disabilities Act of
2 1990 (42 U.S.C. 12112–14), and
3 (3) the health and safety of employees, or
4 apply a congressional employee in accordance with section
5 354.

6 **SEC. 353. OFFICE OF COMPLIANCE.**

7 (a) ESTABLISHMENT.—There is established in the
8 legislative branch an Office of Compliance (hereinafter in
9 this subtitle referred to as the “Office”).

10 (b) COMPOSITION.—

11 (1) BOARD OF DIRECTORS.—The Office shall
12 have a Board of Directors. The Board of Directors
13 shall consist of 8 individuals appointed jointly by the
14 Speaker of the House of Representatives, the Major-
15 ity Leader of the Senate, and the Minority Leaders
16 of the House of Representatives and the Senate. Ap-
17 pointments to the Board of Directors shall be com-
18 pleted not later than 120 days after the date of the
19 enactment of this subtitle.

20 (2) DIRECTOR.—The Office shall have a Direc-
21 tor who shall be appointed jointly by the Speaker of
22 the House of Representatives, the Majority Leader
23 of the Senate, and the Minority Leaders of the
24 House of Representatives and the Senate.

25 (c) BOARD OF DIRECTORS QUALIFICATIONS.—

1 (1) IN GENERAL.—The members of the Board
2 of Directors shall be individuals with training or ex-
3 pertise in—

4 (A) the application of the laws referred to
5 in section 352 to employment, and

6 (B) employment in the Congress.

7 (2) SPECIFIC QUALIFICATIONS.—

8 (A) LOBBYING.—No individual who en-
9 gages in, or is otherwise employed in, lobbying
10 of the Congress and who is required under the
11 Federal Regulation of Lobbying Act to register
12 with the Clerk of the House of Representatives
13 or the Secretary of the Senate shall be consid-
14 ered eligible for appointment to, or service on,
15 the Board of Directors.

16 (B) OFFICE.—No member of the Board of
17 Directors appointed under subsection (b)(1)
18 may hold or may have held the position of
19 Member of the House of Representatives, Sen-
20 ator, or employee of the House of Representa-
21 tives or the Senate.

22 (3) HOLDING OFFICE.—If during a term of of-
23 fice a member of the Board of Directors engages in
24 an activity described in paragraph (2)(A), such posi-

1 tion shall be declared vacant and a successor shall
2 be selected in accordance with subsection (b)(1).

3 (4) VACANCIES.—A vacancy in the Board of
4 Directors shall be filled in the manner in which the
5 original appointment was made.

6 (d) AUTHORITY.—

7 (1) BOARD OF DIRECTORS.—The Board of Di-
8 rectors appointed under subsection (b)(1) shall have
9 an advisory authority with respect to the implemen-
10 tation of this subtitle.

11 (2) DIRECTOR.—The Director appointed under
12 subsection (b)(2) shall have authority to carry out
13 the functions described in subsections (a), (b), (c),
14 and (d) of section 354 and in section 355 and shall
15 carry out the functions described in sections 356
16 through 363.

17 (e) BOARD OF DIRECTORS TERM OF OFFICE.—

18 (1) IN GENERAL.—Except as provided in para-
19 graph (2), membership on the Board of Directors
20 shall be for 5 years. A member shall only be ap-
21 pointed for one term of office.

22 (2) FIRST APPOINTMENTS.—Of the members
23 first appointed to the Board of Directors—

24 (A) 2 shall have a term of office of 2
25 years,

1 (B) 2 shall have a term of office of 3
2 years,

3 (C) 2 shall have a term of office of 4
4 years, and

5 (D) 2 shall have a term of office of 5
6 years,

7 as designated at the time of appointment by the per-
8 sons specified in subsection (b)(1).

9 (f) CHAIRPERSON.—The Chairperson of the Board of
10 Directors shall be appointed from the members of the
11 Board of Directors by the members of the Board and shall
12 have responsibility for convening periodic meetings of the
13 Board.

14 (g) BASIC PAY.—Members of the Board of Directors
15 shall serve without pay.

16 (h) OFFICE STAFF.—The Director may appoint and
17 fix the compensation of such staff, including hearing offi-
18 cers, as are necessary to carry out this subtitle.

19 (i) DETAILEES.—The Director may, with the prior
20 consent of the Government department or agency con-
21 cerned, use the services of any such department or agency,
22 including the services of members or personnel of the Gen-
23 eral Accounting Office Personnel Appeals Board.

24 (j) CONSULTANTS.—In carrying out this subtitle, the
25 Director may procure the temporary (not to exceed 1 year)

1 or intermittent services of individual consultants or orga-
2 nizations thereof.

3 **SEC. 354. STUDY AND REGULATIONS.**

4 (a) INITIAL ACTION.—

5 (1) STUDY FOR CONGRESSIONAL EMPLOYEES.—

6 The Board of Directors shall conduct a study—

7 (A) of the manner in which the laws made
8 applicable to congressional employees under sec-
9 tion 352(a) should apply, and

10 (B) to determine which of the laws re-
11 ferred to in section 352(b) should apply to Con-
12 gress and if it should, the manner in which it
13 should be made applicable.

14 The Board of Directors shall complete such study
15 and report the results to Congress not later than
16 180 days after the date of the enactment of this
17 subtitle.

18 (2) STUDY FOR EMPLOYEES OF INSTRUMEN-
19 TALITIES.—

20 (A) STUDY.—The Director shall conduct a
21 study of the application to employees of instru-
22 mentalities of the provisions of Federal law re-
23 ferred to in section 352. The Director shall
24 complete such study and submit to Congress a
25 report containing the results of the study not

1 later than 180 days after the date the Board
2 submits a report of the study under paragraph
3 (1).

4 (B) REGULATIONS.—If, as the result of
5 the study under subparagraph (A), the Board
6 determines that employees of instrumentalities
7 should be covered by the one or more of the
8 laws referred to in the study, the Board may
9 issue regulations for such coverage in accord-
10 ance with subsection (b).

11 (C) DEFINITION.—The term “employee of
12 an instrumentality” means—

13 (i) any employee of the General Ac-
14 counting Office, the Government Printing
15 Office, the Library of Congress, the Office
16 of Technology Assessment, or any other
17 unit of the legislative branch of the Fed-
18 eral Government (other than an employee
19 referred to in paragraph (1) of section
20 351);

21 (ii) any applicant for a position that
22 will last 90 days or more and that is to be
23 occupied by an individual described in
24 clause (i); or

1 (iii) any individual who was formerly
2 an employee described in clause (i) and
3 whose claim of a violation arises out of the
4 employment of the individual by an instru-
5 mentality described in clause (i).

6 (b) REGULATIONS.—

7 (1) LAWS MADE APPLICABLE.—Not later than
8 180 days after the date of the completion of the
9 study under subsection (a)(1)(A), the Director shall
10 propose regulations prescribing the manner in which
11 laws made applicable to congressional employees
12 under section 352(a) shall apply to such employees.

13 (2) OTHER LAWS.—Not later than 180 days
14 after the date of the completion of the study under
15 subsection (a)(1)(B), the Director shall propose reg-
16 ulations that specify which of the provisions of Fed-
17 eral law considered in such study shall apply to Con-
18 gressional employees.

19 (3) REGULATION REQUIREMENTS.—Regulations
20 under paragraphs (1) and (2)—

21 (A) shall be consistent with the provision
22 of law made applicable to Congress, including
23 remedies, except as may otherwise be specifi-
24 cally provided;

1 (B) shall take into account the costs asso-
2 ciated with the application of such provisions to
3 Congressional employees; and

4 (C) may specify specific dates for the ap-
5 plication of specific provisions and may specify
6 specific means for the application of such provi-
7 sions.

8 (c) CONTINUING ACTION.—On an ongoing basis the
9 Director—

10 (1) shall study the application to Congressional
11 employees of provisions of Federal law referred to in
12 section 352 that are enacted after the date of the
13 enactment of this subtitle; and

14 (2) may propose regulations with respect to
15 such provisions in accordance with subsection (b).

16 (d) AMENDMENTS AND REPEALS.—The Director
17 shall recommend changes in or repeals of existing law to
18 accommodate the application of such law to Congressional
19 employees.

20 (e) CONGRESSIONAL APPROVAL.—

21 (1) IN GENERAL.—Regulations of the Office
22 shall not go in effect unless approved by the Con-
23 gress under this subsection.

24 (2) RULEMAKING.—The provisions of this sub-
25 section are enacted by the Congress—

1 (A) as an exercise of the rulemaking power
2 of the House of Representatives, and as such
3 they are deemed a part of the rules of the
4 House, but applicable only with respect to the
5 procedure to be followed in the House in the
6 case of concurrent resolutions of regulation ap-
7 proval, and such provisions supersede other
8 rules of the House only to the extent that they
9 are inconsistent with such other rules; and

10 (B) with full recognition of the constitu-
11 tional right of the House to change the rules
12 (so far as relating to the procedure of the
13 House) at any time, in the same manner and
14 to the same extent as in the case of any other
15 rule of the House.

16 (3) REFERRAL.—

17 (A) HOUSE OF REPRESENTATIVES.—Con-
18 current resolutions relating to approval of regu-
19 lations proposed under subsection (b) (referred
20 to in this section as a “concurrent resolution of
21 regulation approval”) shall, upon introduction
22 in the House of Representatives, be immediately
23 referred by the Speaker of the House to the ap-
24 propriate committee or committees of the
25 House. Any such concurrent resolution received

1 from the Senate shall be held at the Speaker's
2 table.

3 (B) SENATE.—Concurrent resolutions of
4 regulation approval shall, upon introduction in
5 the Senate, be immediately referred by the Pre-
6 siding Officer of the Senate to the appropriate
7 committee or committees of the Senate. Any
8 such concurrent resolution received from the
9 House of Representatives shall be held at the
10 desk.

11 (4) COMMITTEE CONSIDERATION.—

12 (A) HOUSE OF REPRESENTATIVES.—Upon
13 the expiration of 90 days of continuous session
14 after the introduction of the first concurrent
15 resolution of regulation approval with respect to
16 any regulation, each committee of the House of
17 Representatives to which such concurrent reso-
18 lution was referred shall be discharged from
19 further consideration of such concurrent resolu-
20 tion, and such concurrent resolution shall be re-
21 ferred to the appropriate calendar, unless such
22 concurrent resolution or an identical resolution
23 was previously reported, with or without amend-
24 ments, by each committee to which the concur-
25 rent resolution was referred. The 90-day period

1 may be extended by the Speaker, in consulta-
2 tion with the Minority Leader, for such period
3 as the Speaker considers appropriate.

4 (B) SENATE.—Upon the expiration of 90
5 days of continuous session after the introduc-
6 tion of the first concurrent resolution of regula-
7 tion approval with respect to any regulation,
8 each committee of the Senate to which such
9 concurrent resolution was referred shall be dis-
10 charged from further consideration of such con-
11 current resolution, and such concurrent resolu-
12 tion shall be placed on the calendar, unless such
13 concurrent resolution or an identical resolution
14 was previously reported, with or without amend-
15 ments, by each committee to which the concur-
16 rent resolution was referred. The 90-day period
17 may be extended by the Majority Leader, in
18 consultation with the Minority Leader, for such
19 period as the Majority Leader considers appro-
20 priate.

21 (5) CONSIDERATION.—

22 (A) HOUSE OF REPRESENTATIVES.—It
23 shall be in order for the Speaker to recognize
24 a Member of the House of Representatives fa-
25 voring a concurrent resolution of regulation ap-

1 proval to call up the concurrent resolution after
2 it has been on the appropriate calendar for 5
3 legislative days. When any such concurrent res-
4 olution is called up, the House shall proceed to
5 its immediate consideration and the Speaker
6 shall recognize the Member calling up such con-
7 current resolution and a Member opposed to
8 such concurrent resolution for 1 hour of debate
9 in the House, to be equally divided and con-
10 trolled by such Members. When such time has
11 expired, the previous question shall be consid-
12 ered as ordered on the concurrent resolution to
13 adoption without intervening motion. It shall
14 not be in order to move to reconsider the vote
15 by which such resolution is agreed to or dis-
16 agreed to.

17 (B) SENATE.—It shall be in order for the
18 Presiding Officer to recognize a Senator favor-
19 ing a concurrent resolution of regulation ap-
20 proval to call up the concurrent resolution after
21 it has been on the calendar for 5 legislative
22 days. When any such concurrent resolution is
23 called up, the Senate shall proceed to its imme-
24 diate consideration and the Presiding Officer
25 shall recognize the Senator calling up such con-

1 current resolution and a Senator opposed to
2 such concurrent resolution for 1 hour of debate
3 in the Senate, to be equally divided and con-
4 trolled by such Senators. When such time has
5 expired, the Senate shall proceed without any
6 intervening action to vote on the concurrent
7 resolution. It shall not be in order to move to
8 reconsider the vote by which such resolution is
9 agreed to or disagreed to.

10 (6) CONCURRENT RESOLUTION FROM ANOTHER
11 HOUSE.—

12 (A) HOUSE OF REPRESENTATIVES.—If the
13 House receives from the Senate a concurrent
14 resolution of regulation approval with respect to
15 any regulation, the following procedures shall
16 apply:

17 (i) REFERRAL.—The concurrent reso-
18 lution from the Senate with respect to such
19 regulation shall not be referred to a com-
20 mittee.

21 (ii) PROCEDURES.—The procedure of
22 the House with respect to any resolution of
23 the House with respect to such regulation
24 shall be the same as if no such resolution
25 from the Senate had been received. On any

1 vote on final passage of a concurrent reso-
2 lution of the House with respect to such
3 regulation, a resolution from the Senate
4 with respect to such regulation that con-
5 tains identical text shall be automatically
6 substituted for the resolution of the House.

7 (B) SENATE.—If the Senate receives from
8 the House of Representatives a concurrent reso-
9 lution of regulation approval with respect to
10 any regulation, the following procedures shall
11 apply:

12 (i) REFERRAL.—The concurrent reso-
13 lution from the House of Representatives
14 with respect to such regulation shall not be
15 referred to a committee.

16 (ii) PROCEDURES.—The procedure of
17 the Senate with respect to any concurrent
18 resolution of the Senate with respect to
19 such regulation shall be the same as if no
20 such resolution from the House of Rep-
21 resentatives had been received. On any
22 vote on final passage of a concurrent reso-
23 lution of the Senate with respect to such
24 regulation, a resolution from the House of
25 Representatives with respect to such regu-

1 lation that contains identical text shall be
2 automatically substituted for the resolution
3 of the Senate.

4 (7) COMPUTATION OF DAYS.—For purposes of
5 this section—

6 (A) continuity of session of Congress is
7 broken only by an adjournment sine die; and

8 (B) the days on which either House is not
9 in session because of an adjournment of more
10 than 3 days to a day certain are excluded in the
11 computation of the period referred to in para-
12 graph (4).

13 **SEC. 355. OTHER FUNCTIONS.**

14 (a) RULES OF THE OFFICE.—The Director shall
15 adopt rules governing the procedures of the Office, includ-
16 ing the procedures of hearing boards, which shall be sub-
17 mitted for publication in the Congressional Record. The
18 rules may be amended in the same manner. The Director
19 may consult with the Chairman of the Administrative Con-
20 ference of the United States, the Legal Counsel of the
21 Senate, and the General Counsel of the House of Rep-
22 resentatives on the adoption of rules.

23 (b) INVESTIGATIVE AUTHORITY.—The Director shall
24 have authority to conduct such investigations as it re-

1 quires to implement sections 357 through 359 and section
2 361.

3 (c) DUTIES.—The Office shall—

4 (1) carry out a program of education for Mem-
5 bers of Congress and other employing authorities of
6 the Congress respecting the laws made applicable to
7 them and a program to inform individuals of their
8 rights under laws applicable to congressional em-
9 ployees and under sections 356 through 361,

10 (2) in carrying out the program under para-
11 graph (1), distribute the telephone number and ad-
12 dress of the Office, procedures for action under sec-
13 tions 356 through 361, and any other information
14 the Director deems appropriate for distribution, dis-
15 tribute such information to Members of Congress
16 and other employing authorities in a manner suit-
17 able for posting, provide such information to new
18 Congressional employees, distribute such information
19 to the residences of Congressional employees, and
20 conduct seminars and other activities designed to
21 educate employers and employees in such informa-
22 tion,

23 (3) compile and publish statistics on the use of
24 the Office by Congressional employees, including the
25 number and type of contacts made with the Office,

1 on the reason for such contacts, on the number of
2 employees who initiated proceedings with the Office
3 under sections 356 through 361 and the result of
4 such proceedings, on the number of employees who
5 filed a complaint under section 359, the basis for the
6 complaint, and the action taken on the complaint,
7 and

8 (4) within 180 days of the initial appointment
9 of the members of the Director and in conjunction
10 with the Clerk of the House of Representatives and
11 the Secretary of the Senate, develop a system for the
12 collection of demographic data respecting the com-
13 position of the employees of the Congress, including
14 race, sex, and wages, and a system for the collection
15 of information on employment practices, including
16 family leave and flexible work hours, in Congres-
17 sional offices.

18 **SEC. 356. PROCEDURE FOR CONSIDERATION OF ALLEGED**
19 **VIOLATIONS.**

20 The procedure for consideration of alleged violations
21 of laws made applicable to congressional employees under
22 the regulation promulgated under section 354(b) consists
23 of 4 steps as follows:

24 (1) Step I, counseling, as set forth in section
25 357.

1 (2) Step II, mediation, as set forth in section
2 358.

3 (3) Step III, formal complaint and hearing by
4 a hearing board, as set forth in section 359.

5 (4) Step IV, judicial review if a Congressional
6 employee is aggrieved by a dismissal under section
7 359(c), a final decision under section 359(g), or an
8 order under section 359(h) or 359(i) or if a Member
9 of the House of Representatives or a Senator is ag-
10 grieved by a final decision under section 359(g) or
11 would be subject to an order issued under section
12 359(h) or 359(i).

13 **SEC. 357. STEP I: COUNSELING.**

14 (a) IN GENERAL.—A Congressional employee alleg-
15 ing a violation of a law made applicable to congressional
16 employees under section 354 may request counseling
17 through the Office. The Office shall provide the employee
18 with all relevant information with respect to the rights of
19 the employee. A request for counseling shall be made not
20 later than 180 days after the alleged violation forming the
21 basis of the request for counseling occurred.

22 (b) PERIOD OF COUNSELING.—The period for coun-
23 seling shall be 30 days unless the employee and the Office
24 agree to reduce the period. The period shall begin on the
25 date the request for counseling is received.

1 **SEC. 358. STEP II: MEDIATION.**

2 (a) IN GENERAL.—Not later than 15 days after the
3 end of the counseling period under section 357, the em-
4 ployee who alleged a violation of a law made applicable
5 to congressional employees under section 354 may file a
6 request for mediation with the Office. Mediation—

7 (1) may include the Office, the employee, the
8 employing office, and individuals who are rec-
9 ommended by organizations composed primarily of
10 individuals experienced in adjudicating or arbitrating
11 personnel matters, and

12 (2) shall be a process involving meetings with
13 the parties separately or jointly for the purpose of
14 resolving the dispute between the employee and the
15 employing office.

16 (b) MEDIATION PERIOD.—The mediation period shall
17 be 30 days beginning on the date the request for mediation
18 is received and may be extended for an additional 30 days
19 at the discretion of the Office. The Office shall notify the
20 employee and the head of the employing office when the
21 mediation period has ended. For purposes of this section,
22 the term “head of employing office” means the individual
23 who has final authority to appoint, hire, discharge, and
24 set the terms, conditions, or privileges of the Congres-
25 sional employment of an employee.

1 **SEC. 359. STEP III: FORMAL COMPLAINT AND HEARING.**

2 (a) FORMAL COMPLAINT AND REQUEST FOR HEAR-
3 ING.—Not later than 30 days after receipt by the Congres-
4 sional employee of notice from the Office of the end of
5 the mediation period under section 358, the Congressional
6 employee may file a formal complaint with the Office. No
7 complaint may be filed unless the employee has made a
8 timely request for counseling and has completed the proce-
9 dures set forth in sections 357 and 358.

10 (b) HEARING BOARD.—A board of 3 independent
11 hearing officers (hereinafter in this Act referred to as a
12 “hearing board”), who are not Members of the House of
13 Representatives, Senators, or officers or employees of the
14 House of Representatives or Senate, chosen by the Direc-
15 tor (one of whom shall be designated by the Director as
16 the presiding hearing officer) shall be assigned to consider
17 each complaint filed under subsection (a). The Director
18 shall appoint hearing officers from candidates who are rec-
19 ommended by the Federal Mediation and Conciliation
20 Service, the Administrative Conference of the United
21 States, or organizations composed primarily of individuals
22 experienced in adjudicating or arbitrating personnel mat-
23 ters. A hearing board shall act by majority vote.

24 (c) DISMISSAL OF FRIVOLOUS CLAIMS.—Prior to a
25 hearing under subsection (d), a hearing board may dismiss
26 any claim that it finds to be frivolous.

1 (d) HEARING.—A hearing shall be conducted—

2 (1) in closed session on the record by a hearing
3 board; and

4 (2) no later than 30 days after filing of the
5 complaint under subsection (a), except that the Of-
6 fice may, for good cause, extend up to an additional
7 60 days the time for conducting a hearing.

8 (e) DISCOVERY.—Reasonable prehearing discovery
9 may be permitted at the discretion of the hearing board.

10 (f) SUBPOENA POWER.—

11 (1) IN GENERAL.—A hearing board may au-
12 thorize subpoenas, which shall be issued by the pre-
13 siding hearing officer on behalf of the hearing board
14 under, in a matter involving the House of Rep-
15 resentatives, the seal of the House of Representa-
16 tives, for the attendance of witnesses at proceedings
17 of the hearing board and for the production of cor-
18 respondence, books, papers, documents, and other
19 records. The attendance of witnesses and the pro-
20 duction of evidence may be required from any place
21 within the United States.

22 (2) FAILURE TO OBEY A SUBPOENA.—

23 (A) SUBPOENA ON SENATE MATTERS.—If
24 a person refuses to obey a subpoena issued
25 under paragraph (1) in a matter involving the

1 Senate, the hearing board may apply to a Unit-
2 ed States district court for an order requiring
3 that person to appear before the hearing board
4 to give testimony, produce evidence, or both, re-
5 lating to the matter under investigation. The
6 application may be made within the judicial dis-
7 trict where the hearing is conducted or where
8 that person is found, resides, or transacts busi-
9 ness. Any failure to obey the order of the court
10 may be punished by the court as civil contempt.

11 (B) SUBPOENA ON HOUSE OF REPRESENT-
12 ATIVES MATTERS.—If a person refuses to obey
13 a subpoena issued under paragraph (1) in a
14 matter involving the House of Representatives,
15 the hearing board may report the refusal to the
16 Committee on Rules which may take any action
17 it deems appropriate. Such action may in-
18 clude—

19 (i) a referral to the Committee on
20 Standards of Official Conduct if the re-
21 fusals is by a current Member of the House
22 of Representatives or officer or employee of
23 the House of Representatives, or

24 (ii) a report to the House of Rep-
25 resentatives of a resolution to certify a

1 contempt pursuant to sections 102 and
2 104 of the Joint Resolution of June 22,
3 1938 (2 U.S.C. 192, 194) if the failure is
4 by someone other than a current Member
5 of the House of Representatives or officer
6 or employee of the House of Representa-
7 tives.

8 (3) SERVICE OF SUBPOENAS.—The subpoenas
9 of the hearing board shall be served in the manner
10 provided for subpoenas issued by a United States
11 district court under the Federal Rules of Civil Pro-
12 cedure for the United States district courts.

13 (4) SERVICE OF PROCESS.—All process of any
14 court to which application is to be made under para-
15 graph (2) may be served in the judicial district in
16 which the person required to be served resides or
17 may be found.

18 (5) IMMUNITY.—The hearing board is an agen-
19 cy of the United States for the purpose of part V
20 of title 18, United States Code (relating to immunity
21 of witnesses).

22 (g) HEARING BOARD DECISION.—As expeditiously as
23 possible, but in no case more than 45 days after the con-
24 clusion of the hearing, the hearing board shall make a de-
25 cision in the matter for which the hearing was held. The

1 decision of the hearing board shall be transmitted by the
2 Office to the employee and the employing office. The deci-
3 sion shall state the issues raised by the complaint, describe
4 the evidence in the record, and contain a determination
5 as to whether a violation of a law made applicable to con-
6 gressional employees under section 354 has occurred. Any
7 decision of the hearing board shall contain a written state-
8 ment of the reasons for the hearing board's decision. The
9 hearing board shall make its decision available to the pub-
10 lic

11 (h) REMEDY ORDER.—If the decision of the hearing
12 board under subsection (g) is that a violation of a law
13 made applicable to congressional employees under section
14 354 has occurred, it shall order the remedies under such
15 law as made applicable to congressional employees under
16 the regulations promulgated under section 354, except
17 that no Member of the House of Representatives or Sen-
18 ator shall be personally liable for the payment of com-
19 pensation and the office accounts of a Member or Senator
20 shall not be liable for the payment of compensation. The
21 hearing board shall have no authority to award punitive
22 damages. The entry of an order under subsection shall
23 constitute a final decision for purposes of judicial review
24 under section 360 if the order is not reviewed under sub-
25 section (i).

1 (i) REVIEW BY THE DIRECTOR.—

2 (1) IN GENERAL.—A congressional employee or
3 Member of the House of Representatives or Senator
4 may request the director to review a decision of the
5 hearing board under subsection (g) (including a de-
6 cision after a remand under paragraph (2)(A)).
7 Such a request shall be made within 30 days of the
8 date of the decision of the hearing board. Review by
9 the Director shall be based on the record of the
10 hearing board.

11 (2) DECISION OF THE DIRECTOR.—The Direc-
12 tor shall issue a decision not later than 60 days
13 after the date of the request under paragraph (1).
14 The decision of the Director may—

15 (A) remand to the hearing board the mat-
16 ter before the Director for the purpose of
17 supplementing the record or for further consid-
18 eration;

19 (B) reverse the decision of the hearing
20 board and enter a new decision and order in ac-
21 cordance with subsection (h); or

22 (C) direct that the decision and order of
23 the hearing board be considered as the final
24 decision.

1 (3) FINAL DECISION.—The entry of a decision
2 under paragraph (2) shall constitute a final decision
3 for purposes of judicial review under section 360.

4 (j) FUNDS.—There shall be established in the House
5 of Representatives and in the Senate a fund from which
6 compensation (including attorney’s fees) may be paid in
7 accordance with an order under subsection (h) or (i) or
8 as a result of judicial review under section 360. From the
9 outset of any proceeding in which compensation may be
10 paid from a fund of the House of Representatives, the
11 General Counsel of the House of Representatives may pro-
12 vide the respondent with representation.

13 **SEC. 360. JUDICIAL REVIEW.**

14 (a) IN GENERAL.—Any congressional employee ag-
15 grieved by a dismissal of a claim under section 359(c) or
16 a final decision under section 359(h) or 359(i), or any
17 Member of the House of Representatives or Senator ag-
18 grieved by a final decision under section 359(h) or 359(i),
19 may petition for review by the United States Court of Ap-
20 peals for the Federal Circuit.

21 (b) LAW APPLICABLE.—Chapter 158 of title 28,
22 United States Code, shall apply to a review under sub-
23 section (a) except that—

24 (1) with respect to section 2344 of title 28,
25 United States Code, service of the petition shall be

1 on the House or Senate Legal Counsel, as the case
2 may be, rather than on the Attorney General;

3 (2) the provisions of section 2348 of title 28,
4 United States Code, on the authority of the Attorney
5 General, shall not apply;

6 (3) the petition for review shall be filed not
7 later than 90 days after the entry in the Office of
8 a final decision under section 409(d);

9 (4) the Office shall be an “agency” as that
10 term is used in chapter 158 of title 28, United
11 States Code; and

12 (5) the Office shall be the respondent in any
13 proceeding under subsection (a).

14 (c) STANDARD OF REVIEW.—To the extent necessary
15 for decision, the court shall decide all relevant questions
16 of law and interpret constitutional and statutory provi-
17 sions. The court shall set aside a final decision under sec-
18 tion 359(h) or 359(i) if it is determined that the decision
19 or order was—

20 (1) arbitrary, capricious, an abuse of discretion,
21 or otherwise not consistent with law;

22 (2) not made consistent with required proce-
23 dures; or

24 (3) unsupported by substantial evidence.

1 In making the foregoing determinations, the court shall
2 review the whole record, or those parts of it cited by a
3 party, and due account shall be taken of the rule of preju-
4 dicial error. The record on review shall include the record
5 before the hearing board, the decision of the hearing board
6 or Director, and the order of the hearing board or
7 Director.

8 (d) ATTORNEY'S FEES.—If a congressional employee
9 is the prevailing party in a proceeding under this section,
10 attorney's fees for the judicial proceeding may be allowed
11 by the court in accordance with the standards prescribed
12 under section 706(k) of the Civil Rights Act of 1964 (42
13 U.S.C. 2000e–5(k)).

14 **SEC. 361. RESOLUTION OF COMPLAINT.**

15 If, after a formal complaint is filed under section 359,
16 the employee and the head of the employing office resolve
17 the issues involved, the employee may withdraw the com-
18 plaint or the parties may enter into a written agreement,
19 subject to the approval of the Director.

20 **SEC. 362. PROHIBITION OF INTIMIDATION.**

21 Any intimidation of, or reprisal against, any employee
22 by any Member of the House of Representatives, Senator,
23 or officer or employee of the House of Representatives or
24 Senate, or by the Architect of the Capitol, or anyone em-
25 ployed by the Architect of the Capitol, because of the exer-

1 cise of a right under this subtitle constitutes an unlawful
2 employment practice, which may be remedied in the same
3 manner under this subtitle as is a violation of a law made
4 applicable to congressional employees under section 354.

5 **SEC. 363. CONFIDENTIALITY.**

6 (a) COUNSELING.—All counseling shall be strictly
7 confidential except that the Office and the employee may
8 agree to notify the head of the employing office of the
9 allegations.

10 (b) MEDIATION.—All mediation shall be strictly
11 confidential.

12 (c) HEARINGS.—Except as provided in subsections
13 (d) and (e), the hearings, deliberations, and decisions of
14 the hearing board shall be confidential.

15 (d) RELEASE OF RECORDS FOR JUDICIAL ACTION.—
16 The records and decisions of hearing boards may be made
17 public if required for the purpose of judicial action under
18 section 9.

19 (e) ACCESS BY COMMITTEES OF CONGRESS.—The
20 Committee on Standards of Official Conduct of the House
21 of Representatives and the Select Committee on Ethics of
22 the Senate shall have access to the hearings, deliberations,
23 and decisions of the hearing board but only after the hear-
24 ing board has made a decision under section 359(g) with

1 respect to the matter for which such hearings and delib-
2 erations of the hearing board were made.

3 (f) COORDINATION.—The Director shall coordinate
4 the Director’s proceedings with the Committee on Stand-
5 ards and Official Conduct of the House of Representatives
6 and the Select Committee on Ethics of the Senate to
7 ensure effectiveness, to avoid duplication, and to prevent
8 penalizing cooperation by respondents in the respective
9 proceedings.

10 **SEC. 364. POLITICAL AFFILIATION AND PLACE OF RESI-**
11 **DENCE.**

12 (a) IN GENERAL.—It shall not be a violation of a law
13 made applicable to congressional employees under section
14 354 to consider the—

15 (1) party affiliation;

16 (2) domicile, or

17 (3) political compatibility with the employing
18 office,

19 of a congressional employee with respect to employment
20 decisions.

21 (b) DEFINITION.—For purposes of subsection (a),
22 the term “employee” means—

23 (1) an employee on the staff of the House of
24 Representatives or Senate leadership,

1 (2) an employee on the staff of a committee or
2 subcommittee,

3 (3) an employee on the staff of a Member of
4 the House of Representatives or Senate,

5 (4) an officer or employee of the House of Rep-
6 resentatives or Senate elected by the House of Rep-
7 resentatives or Senate or appointed by a Member of
8 the House of Representatives or Senate, other than
9 those described in paragraphs (1) through (3), or

10 (5) an applicant for a position that is to be oc-
11 cupied by an individual described in paragraphs (1)
12 through (4).

13 **SEC. 365. OTHER REVIEW.**

14 No congressional employee may commence a judicial
15 proceeding to redress practices prohibited under section
16 354, except as provided in this subtitle and no court or
17 administrative body shall have jurisdiction to entertain
18 any civil action concerning or related to practices prohib-
19 ited under section 354.

20 **Subtitle D—Miscellaneous**

21 **SEC. 371. SUNSET AGENCY REPORTING REQUIREMENTS.**

22 (a) IN GENERAL.—The Committee on Government
23 Operations of the House of Representatives and the Com-
24 mittee on Governmental Affairs of the Senate shall con-
25 duct, with the assistance of the General Accounting Office,

1 a comprehensive survey of all statutory reporting require-
2 ments, soliciting the views of House and Senate standing
3 committees, during the One Hundred Fourth Congress
4 and report legislation on or before December 31, 1996,
5 to eliminate obsolete, nonessential, or duplicative reports.

6 (b) 5-Year Period.—The Committee on Government
7 Operations of the House of Representatives and the Com-
8 mittee on Governmental Affairs of the Senate shall estab-
9 lish a uniform and appropriate procedure for requiring
10 agency reports to Congress to expire after 5 years, subject
11 to their specific reauthorization, and report legislation by
12 December 31, 1996, to sunset statutory reporting require-
13 ments.

14 **SEC. 372. JOINT COMMITTEE ON INFORMATION MANAGE-**
15 **MENT.**

16 (a) ABOLITION OF JOINT COMMITTEE ON PRINT-
17 ING.—Chapter 1 of title 44, United States Code, is re-
18 pealed.

19 (b) ABOLITION OF JOINT COMMITTEE OF CONGRESS
20 ON THE LIBRARY.—Sections 223 and 224 of the Legisla-
21 tive Reorganization Act of 1946 (2 U.S.C. 132B and 133)
22 are repealed.

23 (c) ESTABLISHMENT OF JOINT COMMITTEE ON IN-
24 FORMATION MANAGEMENT.—(1) There is established a

1 Joint Committee on Information Management (hereafter
2 in this section referred to as the “Committee”).

3 (2) The Committee shall be composed of 10 members
4 as follows:

5 (A) 5 members from the Committee on House
6 Administration of the House of Representatives to
7 be appointed by the Speaker and 5 members of the
8 Rules and Administration of the Senate to be ap-
9 pointed by _____.

10 (d) FUNCTIONS.—The Committee shall—

11 (1) coordinate information management for
12 Congress;

13 (2) establish standards and applications policies
14 for Congress and its support agencies for informa-
15 tion technologies, including telecommunications, elec-
16 tronic files and indexing, publishing, and informa-
17 tion dissemination within Congress and to the public
18 pursuant to chapters 17 and 19 of title 44, United
19 States Code;

20 (3) ensure dissemination of executive branch in-
21 formation to the public as provided in title 44, Unit-
22 ed States Code; and

23 (4) carry out all functions heretofore carried
24 out by the Joint Committee on Printing and the
25 Joint Committee of Congress on the Library.

1 (e) TRANSFER OF FUNCTIONS.—Effective upon the
2 effective date of this section, all functions of the Joint
3 Committee on Printing and the Joint Committee of Con-
4 gress on the Library except those functions carried out
5 by the Joint Committee of Congress on the Library related
6 to the supervision of the Botanic Garden and the Capitol
7 art collection, which shall be transferred to the Committee
8 on House Administration of the House of Representatives
9 and the Committee on Rules and Administration of the
10 Senate, are transferred to the Committee.

11 (f) VACANCIES; CHAIRMANSHIP.—Vacancies in the
12 membership of the Committee shall not affect the power
13 of the remaining members to execute the functions of the
14 Committee, and shall be filled in the same manner as the
15 original selection. The chairmanship and vice chairman-
16 ship of the Committee shall alternate between the chair-
17 man of the Committee on Rules and Administration of the
18 Senate and the chairman of the Committee on House Ad-
19 ministration of the House of Representatives with each
20 Congress. The initial chairman of the Committee shall be
21 the chairman of the Committee on House Administration
22 and the initial vice chairman shall be the chairman of the
23 Committee on Rules and Administration.

24 (g) EFFECTIVE DATE.—This section shall take effect
25 at the beginning of the One Hundred Fourth Congress.

1 **Subtitle E—Budget Control**

2 **SEC. 381. SHORT TITLE; PURPOSE.**

3 (a) SHORT TITLE.—This subtitle may be cited as the
4 “Budget Control Act of 1993”.

5 (b) PURPOSE.—The purpose of this subtitle is to cre-
6 ate a mechanism to monitor total costs of direct spending
7 programs, and, in the event that actual or projected costs
8 exceed targeted levels, to require the President and Con-
9 gress to address adjustments in direct spending.

10 **SEC. 382. ESTABLISHMENT OF DIRECT SPENDING TARGETS.**

11 (a) IN GENERAL.—The initial direct spending targets
12 for each of fiscal years 1994 through 1997 shall equal
13 total outlays for all direct spending except net interest and
14 deposit insurance as determined by the Director of the Of-
15 fice of Management and Budget (hereinafter referred to
16 in this subtitle as the “Director”) under subsection (b).

17 (b) INITIAL REPORT BY DIRECTOR.—

18 (1) Not later than 30 days after the date of en-
19 actment of this Act, the Director shall submit a re-
20 port to Congress setting forth projected direct
21 spending targets for each of fiscal years 1994
22 through 1997.

23 (2) The Director’s projections shall be based on
24 legislation enacted as of 5 days before the report is
25 submitted under paragraph (1). To the extent fea-

1 sible, the Director shall use the same economic and
2 technical assumptions used in preparing the concur-
3 rent resolution on the budget for fiscal year 1994
4 (H. Con. Res. 64).

5 (c) ADJUSTMENTS.—Direct spending targets shall be
6 subsequently adjusted by the Director under section 386.

7 **SEC. 383. ANNUAL REVIEW OF DIRECT SPENDING AND RE-**
8 **CEIPTS BY PRESIDENT.**

9 As part of each budget submitted under section
10 1105(a) of title 31, United States Code, the President
11 shall provide an annual review of direct spending and re-
12 ceipts, which shall include (1) information supporting the
13 adjustment of direct spending targets pursuant to section
14 386, (2) information on total outlays for programs covered
15 by the direct spending targets, including actual outlays for
16 the prior fiscal year and projected outlays for the current
17 fiscal year and the 5 succeeding fiscal years, and (3) infor-
18 mation on the major categories of Federal receipts, includ-
19 ing a comparison between the levels of those receipts and
20 the levels projected as of the date of enactment of this
21 Act.

22 **SEC. 384. SPECIAL DIRECT SPENDING MESSAGE BY PRESI-**
23 **DENT.**

24 (a) TRIGGER.—In the event that the information sub-
25 mitted by the President under section 383 indicates—

1 (1) that actual outlays for direct spending in
2 the prior fiscal year exceeded the applicable direct
3 spending target, or

4 (2) that outlays for direct spending for the cur-
5 rent or budget year are projected to exceed the ap-
6 plicable direct spending targets,

7 the President shall include in his budget a special direct
8 spending message meeting the requirements of subsection
9 (b).

10 (b) CONTENTS.—(1) The special direct spending
11 message shall include:

12 (A) An explanation of any adjustments to the
13 direct spending targets pursuant to section 386.

14 (B) An analysis of the variance in direct spend-
15 ing over the adjusted direct spending targets.

16 (C) The President's recommendations for ad-
17 dressing the direct spending overages, if any, in the
18 prior, current, or budget year.

19 (2) The President's recommendations may consist of
20 any of the following:

21 (A) Proposed legislative changes to reduce di-
22 rect spending outlays, increase revenues, or both, in
23 order to recoup or eliminate the overage for the
24 prior, current, and budget years in the current year,
25 the budget year, and the 4 outyears.

1 (B) Proposed legislative changes to reduce di-
2 rect spending outlays, increase revenues, or both, in
3 order to recoup or eliminate part of the overage for
4 the prior, current, and budget year in the current
5 year, the budget year, and the 4 outyears, accom-
6 panied by a finding by the President that, because
7 of economic conditions or for other specified reasons,
8 only some of the overage should be recouped or
9 eliminated by direct spending outlay reductions or
10 revenue increases, or both.

11 (C) A proposal to make no legislative changes
12 to recoup or eliminate any overage, accompanied by
13 a finding by the President that, because of economic
14 conditions or for other specified reasons, no legisla-
15 tive changes are warranted.

16 (3) Any proposed legislative change under paragraph
17 (2) to reduce outlays may include reductions in direct
18 spending.

19 (c) PROPOSED SPECIAL DIRECT SPENDING RESOLU-
20 TION.—

21 (1) PRESIDENT'S RECOMMENDATIONS TO BE
22 SUBMITTED AS DRAFT RESOLUTION.—If the Presi-
23 dent recommends reductions consistent with sub-
24 section (b)(2)(A) or (B), the special direct spending
25 message shall include the text of a special direct

1 spending resolution implementing the President's
2 recommendations through reconciliation directives
3 instructing the appropriate committees of the House
4 of Representatives and Senate to determine and rec-
5 ommend changes in laws within their jurisdictions to
6 reduce direct spending outlays or increase revenues
7 by specified amounts. If the President recommends
8 no reductions pursuant to (b)(2)(C), the special di-
9 rect spending message shall include the text of a
10 special resolution concurring in the President's rec-
11 ommendation of no legislative action.

12 (2) RESOLUTION TO BE INTRODUCED IN
13 HOUSE.—Within 10 days after the President's spe-
14 cial direct spending message is submitted, the text
15 required by paragraph (1) shall be introduced as a
16 concurrent resolution in the House of Representa-
17 tives by the chairman of the Committee on the
18 Budget of the House of Representatives without sub-
19 stantive revision. If the chairman fails to do so, after
20 the tenth day the resolution may be introduced by
21 any Member of the House of Representatives. A con-
22 current resolution introduced under this paragraph
23 shall be referred to the Committee on the Budget.

1 **SEC. 385. REQUIRED RESPONSE BY CONGRESS.**

2 (a) REQUIREMENT FOR SPECIAL DIRECT SPENDING
3 RESOLUTION.—Whenever the President submits a special
4 direct spending message under section 384, the Committee
5 on the Budget of the House of Representatives shall re-
6 port, not later than April 15, the concurrent resolution
7 on the budget and include in it a separate title that meets
8 the requirements of subsections (b) and (c).

9 (b) CONTENTS OF SEPARATE TITLE.—The separate
10 title of the concurrent resolution on the budget shall con-
11 tain reconciliation directives to the appropriate committees
12 of the House of Representatives and Senate to determine
13 and recommend changes in laws within their jurisdictions
14 to reduce direct spending outlays or increase revenues by
15 specified amounts (which in total equal or exceed the re-
16 ductions recommended by the President, up to the amount
17 of the overage). If this separate title recommends that no
18 legislative changes be made to recoup or eliminate an over-
19 age, then a statement to that effect shall be set forth in
20 that title.

21 (c) REQUIREMENT FOR SEPARATE VOTE TO IN-
22 CREASE TARGETS.—If the separate title of a concurrent
23 resolution on the budget proposes to recoup or eliminate
24 less than the entire overage for the prior, current, and
25 budget years, then the Committee on the Budget of the
26 House of Representatives shall report a resolution direct-

1 ing the Committee on Government Operations to report
2 legislation increasing the direct spending targets for each
3 applicable year by the full amount of the overage not re-
4 coupled or eliminated. It shall not be in order in the House
5 of Representatives to consider that concurrent resolution
6 on the budget until the House of Representatives has
7 agreed to the resolution directing the increase in direct
8 spending targets.

9 (d) CONFERENCE REPORTS MUST FULLY ADDRESS
10 OVERAGE.—It shall not be in order in the House of Rep-
11 resentatives to consider a conference report on a concur-
12 rent resolution on the budget unless that conference report
13 fully addresses the entirety of any overage contained in
14 the applicable report of the President under section 384
15 through reconciliation directives requiring direct spending
16 reductions, revenue increases, or changes in the direct
17 spending targets.

18 (e) PROCEDURE IF HOUSE BUDGET COMMITTEE
19 FAILS TO REPORT REQUIRED RESOLUTION.—

20 (1) AUTOMATIC DISCHARGE OF HOUSE BUDGET
21 COMMITTEE.—If a special direct spending resolution
22 is required and the Committee on the Budget of the
23 House of Representatives fails to report a resolution
24 meeting the requirements of subsections (b) and (c)
25 by April 15, then the committee shall be automati-

1 cally discharged from further consideration of the
2 concurrent resolution reflecting the President's rec-
3 ommendations introduced pursuant to section
4 384(c)(2) and the concurrent resolution shall be
5 placed on the appropriate calendar.

6 (2) CONSIDERATION BY HOUSE.—Ten days
7 after the Committee on the Budget of the House of
8 Representatives has been discharged under para-
9 graph (1), any Member may move that the House
10 proceed to consider the resolution. Such motion shall
11 be highly privileged and not debatable.

12 (f) APPLICATION OF CONGRESSIONAL BUDGET
13 ACT.—To the extent that they are relevant and not incon-
14 sistent with this subtitle, the provisions of title III of the
15 Congressional Budget Act of 1974 shall apply in the
16 House of Representatives and the Senate to special direct
17 spending resolutions, resolutions increasing targets under
18 subsection (c), and reconciliation legislation reported pur-
19 suant to directives contained in those resolutions.

20 **SEC. 386. ADJUSTMENTS TO DIRECT SPENDING TARGETS.**

21 (a) REQUIRED ANNUAL ADJUSTMENTS.—Prior to
22 the submission of the President's budget for each of fiscal
23 years 1995 through 1997, the Director shall adjust the
24 direct spending targets in accordance with this section.
25 Any such adjustments shall be reflected in the targets

1 used in the President's report under section 383 and mes-
2 sage (if any) under section 384.

3 (b) ADJUSTMENT FOR INCREASES IN BENE-
4 FICIARIES.—(1) The Director shall adjust the direct
5 spending targets for increases (if any) in actual or pro-
6 jected numbers of beneficiaries under direct spending pro-
7 grams for which the number of beneficiaries is a variable
8 in determining costs.

9 (2) The adjustment shall be made by—

10 (A) computing, for each program under para-
11 graph (1), the percentage change between (i) the an-
12 nual average number of beneficiaries under that pro-
13 gram (including actual numbers of beneficiaries for
14 the prior fiscal year and projections for the budget
15 and subsequent fiscal years) to be used in the Presi-
16 dent's budget with which the adjustments will be
17 submitted, and (ii) the annual average number of
18 beneficiaries used in the adjustments made by the
19 Director in the previous year (or, in the case of ad-
20 justments made in 1994, the annual average number
21 of beneficiaries used in the Director's initial report
22 under section 382(b));

23 (B) applying the percentages computed under
24 subparagraph (A) to the projected levels of outlays
25 for each program consistent with the direct spending

1 targets in effect immediately prior to the adjust-
2 ment; and

3 (C) adding the results of the calculations re-
4 quired by subparagraph (B) to the direct spending
5 targets in effect immediately prior to the adjust-
6 ment.

7 (3) No adjustment shall be made for any program
8 for a fiscal year in which the percentage increase com-
9 puted under paragraph (2)(A) is less than or equal to
10 zero.

11 (c) ADJUSTMENTS FOR REVENUE LEGISLATION.—

12 (1) The Director shall adjust the targets as follows—

13 (A) they shall be increased by the amount of
14 any increase in receipts; or

15 (B) they shall be decreased by the amount of
16 any decrease in receipts,

17 resulting from receipts legislation enacted after the date
18 of enactment of this subtitle, except legislation enacted
19 under section 385.

20 (d) ADJUSTMENTS TO REFLECT CONGRESSIONAL
21 DECISIONS.—Upon enactment of a reconciliation bill pur-
22 suant to instructions under section 385, the Director shall
23 adjust direct spending targets for the current year, the
24 budget year, and each outyear through 1997 by—

1 (1) increasing the target for the current year
2 and the budget year by the amount stated for that
3 year in that reconciliation bill (but if a separate vote
4 was required by section 385(c), only if that vote has
5 occurred); and

6 (2) decreasing the target for the current, budg-
7 et, and outyears through 1997 by the amount of re-
8 ductions in direct spending enacted in that reconcili-
9 ation bill.

10 (e) DESIGNATED EMERGENCIES.—The Director shall
11 adjust the targets to reflect the costs of legislation that
12 is designated as an emergency by Congress and the Presi-
13 dent under section 252(b) of the Balanced Budget and
14 Emergency Deficit Control Act of 1985.

15 **SEC. 387. RELATIONSHIP TO BALANCED BUDGET AND**
16 **EMERGENCY DEFICIT CONTROL ACT OF 1985.**

17 Reductions in outlays or increases in receipts result-
18 ing from legislation reported pursuant to section 385 shall
19 not be taken into account for purposes of any budget en-
20 forcement procedures under the Balanced Budget and
21 Emergency Deficit Control Act of 1985.

22 **SEC. 388. ESTIMATING MARGIN.**

23 For any fiscal year for which the overage is less than
24 one-half of 1 percent of the direct spending target for that

1 year, the procedures set forth in sections 384 and 385
2 shall not apply.

3 **SEC. 389. CONSIDERATION OF APPROPRIATION BILLS.**

4 (a) POINT OF ORDER.—It shall not be in order in
5 the House of Representatives to consider any general ap-
6 propriation bill if the President has submitted a direct
7 spending message under section 384 until Congress has
8 adopted a concurrent resolution on the budget for the
9 budget year that meets the requirements of section 385.

10 (b) WAIVER.—The point of order established by sub-
11 section (a) may only be waived for all general appropria-
12 tion bills for that budget year through the adoption of one
13 resolution waiving that point of order.

14 **SEC. 390. MEANS-TESTED PROGRAMS.**

15 In making recommendations under sections 384 and
16 385, the President and the Congress should seriously con-
17 sider all other alternatives before proposing reductions in
18 means-tested programs.

19 **SEC. 391. EFFECTIVE DATE.**

20 This subtitle shall apply to direct spending targets
21 for fiscal years 1994 through 1997 and shall expire at the
22 end of fiscal year 1997.

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